

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF ALABAMA**  
**REGULAR SESSION**  
**OF 1986**

**HELD IN THE CITY OF MONTGOMERY,  
COMMENCING TUESDAY, JANUARY 14, 1986**



**Vol. 1**

**WITH AN INDEX PREPARED BY THE  
SECRETARY OF THE SENATE**

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**JOURNAL**  
**OF THE**  
**SENATE**  
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**STATE OF ALABAMA**  
**REGULAR SESSION OF 1986**

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**FIRST LEGISLATIVE DAY**

**TUESDAY, JANUARY 14, 1986**

This being the second Tuesday in January, A.D., 1986, and the day fixed by law and the Constitution of the State of Alabama for the annual meeting of the Legislature of Alabama.

The Senate of Alabama assembled in the Senate Chamber in the City of Montgomery at 12 o'clock Noon, and was called to order by Lieutenant Governor Baxley, President and Presiding Officer of the Senate.

McDowell Lee, Secretary, was present and acted as such according to law.

**PRAYER**

The Session was opened with prayer by the Honorable Bobby Denton, First Senatorial District.

**PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Christina Martich, Lee High School, Montgomery, Alabama.

**ROLL CALL**

Present:

Senators:	Cabaniss	Drinkard	Langford
Aldridge	Cooley	Ellis	Little
Amari	Corbett	Foshee	Menton
Bailey	Covington	Goodwin	Mitchem
Barron	deGraffenried	Hand	Parsons
Bedford	Denton	Hilliard	Smith (J)
Bedsole	Dial	Holmes	Strong
Bennett	Dixon	Horn	Teague
Bishop			

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**LEAVE OF ABSENCE**

On motion of Senator Teague, leave of absence was granted Senators Figures, Sanders, and Smith (B) for today.

**MESSAGE FROM THE HOUSE**

Mr. President:

I have been directed by the House to advise the Senate that the House is now in session and is ready for the transaction of public business.

JOHN W. PEMBERTON,  
Clerk.

**INTRODUCTION OF BILLS**

The following Bills, having been pre-filed with the Secretary of the Senate under the provisions of Joint Rule 10, were severally read one time, and previous referrals by the President and Presiding Officer to appropriate Standing Committees were confirmed, as follows:

By Senator Foshee:

S. 1. To prohibit any two-year or four-year public state supported institution of higher learning from continuing in residence certain students from any foreign nation which does not maintain diplomatic relations with the United States of America or which recognizes any sect or group within its jurisdiction which commits terrorist activities, kidnappings, commandeering of aircraft, injury or loss of life of American citizens, whether civilian or military, or which foreign nation does not offer protection to American emissaries and representatives in any such foreign country; and to prohibit the use of state funds at institutions failing to comply with the provisions of this act.

Committee on Education.

By Senator Holmes:

S. 2. To provide further for the number of students in each academic classroom in the public schools in Alabama.

Committee on Education.

By Senators Bedford, Foshee, and Covington:

S. 3. To amend Section 40-18-19 of the Code of Alabama 1975 relating to income tax exemptions, so as to exempt the first \$10,000.00 of payments made under private pension plans.

Committee on Finance and Taxation.

By Senator Ellis:

S. 4. Proposing an amendment to the Constitution of Alabama of 1901 relating to Shelby County so as to prohibit annexation of territory within Shelby County by out of county municipalities without a vote of the people of Shelby County.

Committee on Local Legislation No. 1.

The above Bill was read a first time at length as required by the Constitution.

By Senator Foshee:

S. 5. To prescribe a period of time in the public schools not to exceed fifteen minutes for study of the formal procedures followed by the United

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States Congress, which study shall include a reading verbatim of one of the opening prayers given by either the House or Senate Chaplain at the beginning of a meeting of the United States House or Senate.

Committee on Education.

By Senator Ellis:

S. 6. To amend Section 40-10-133 of the Code of Alabama 1975, relating to notice to former owner of application to purchase land bid in by state for delinquent taxes so as to provide further for procedures for such notice.

Committee on Judiciary.

By Senator Ellis:

S. 7. To exempt the University of Montevallo Foundation from the payment of all state, county and municipal sales and use taxes.

Committee on Finance and Taxation.

By Senator Ellis:

S. 8. To amend section 12-17-213, Code of Alabama 1975, which section relates to minimum service time required to qualify for supernumerary district attorney status, so as to provide further for the said minimum service time requirements.

Committee on Judiciary.

By Senator Ellis:

S. 9. To amend Section 26-7-2 of the Code of Alabama 1975, relating to custody of funds owed to minors or persons of unsound mind not having guardians and payable to the judge of probate as custodian, so as to raise the maximum amount to \$3,000.00 for discharge of debt.

Committee on Judiciary.

By Senator Ellis:

S. 10. To exempt the University of Montevallo Foundation and the University of Montevallo Alumni Association from the payment of all state, county and municipal sales and use taxes and to provide for a retroactive date.

Committee on Finance and Taxation.

By Senator Ellis:

S. 11. To amend Section 8-20-8 of the Code of Alabama 1975, relating to "The Motor Vehicle Franchise Act" so as to prohibit unfair and deceptive trade practices as to new motor vehicles.

Committee on Consumer Affairs.

By Senator Ellis:

S. 12. To amend Section 9-11-49, Code of Alabama 1975, which provides for nonresident "trip all game hunt licenses," so as to increase the fee for said licenses, and repeals Section 9-11-47, Code of Alabama 1975, which provides for nonresident "all game hunt licenses."

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Ellis:

S. 13. To define "daylight hours" for the purpose of hunting game birds and animals.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Teague:

S. 14. To amend Section 16-25-19, Code of Alabama, 1975, so as to expand the board of control of the Teachers' Retirement System from 13 to 14 members and to specify that the additional member shall be from the ranks of "retired members."

Committee on Education.

By Senator Ellis:

S. 15. To prohibit certain unsolicited commercial telephone calls to residential telephone subscribers and providing for penalties.

Committee on Commerce,  
Transportation, and Utilities.

By Senators Goodwin and Hilliard:

S. 16. To provide for the "Alabama Safety Belt Use Act of 1986"; to require front seat occupants of passenger cars to wear safety belts; to exempt certain persons from the provisions of this act; to prescribe a penalty for violation of the provisions of the act; and to provide for a phased-in implementation.

Committee on Commerce,  
Transportation, and Utilities.

By Senator Foshee:

S. 17. To require that all children must be fingerprinted prior to enrollment in the first grade in any public or private school in Alabama.

Committee on Education.

By Senator Ellis (With Notice and Proof):

S. 18. To amend Act No. 39, H. 67, Second Special Session, 1971 (Acts 1971, p. 4173) to permit the application of chemical substances by aircraft in Shelby County under certain conditions.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 18, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Teague:

S. 19. Providing for the establishment under the office of the Governor, the "Governor's Staff for Utility Consumer Protection," and providing for its organization, personnel, responsibilities, and funding; amending Sections 37-1-16, 37-1-17 and 37-1-18, Code of Alabama 1975, as amended, relating

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to the appointment of a director and members of the staff, compensation and powers, so as to provide such appointments by the Governor and remove such office from the Public Service Commission; and providing for funding from the general fund of the state treasury and Governor's office.

Committee on Commerce,  
Transportation, and Utilities.

By Senator Bedsole:

S. 20. To regulate certain activities relating to possession of and transactions in drug paraphernalia; to define certain terms relating to such paraphernalia; to make it unlawful to engage in certain activities relating to such paraphernalia; to prescribe criminal penalties for such unlawful acts; to prescribe forfeiture for contraband; and to repeal and supersede those provisions of Chapter 2, Title 20 of the Code of Alabama which heretofore regulated "drug related objects."

Committee on Judiciary.

By Senator Ellis:

S. 21. To amend Section 28-3A-11 of the Code of Alabama 1975, relating to lounge retail liquor license so as to create a separation of package retail liquor license from the lounge retail liquor license.

Committee on Consumer Affairs.

By Senator Cabaniss:

S. 22. To amend Section 36-25-27, Code of Alabama, 1975, which prescribes penalties for violations of the State Ethics law, so as to establish the minimum possible penalty for violating the law at two years imprisonment or a minimum fine of \$2,000 or both.

Committee on Judiciary.

By Senator Cabaniss:

S. 23. To amend Sections 36-25-1, 36-25-4, 36-25-6, 36-25-12, 36-25-14, 36-25-15, and 36-25-27, Code of Alabama 1975, so as to delete the definition of "legislative employee"; add the definition of "statement of economic interests," and "thing of value," redefine "public employee" and "public officials and their families;" to provide further for the filing of statement of economic interests by public officials; to provide for an annual lobbyist fee; to provide for the notification of candidacy of certain public officials; to remove the prohibition against investigating anonymous complaints and certain other complaints; to prohibit witnesses, complainants or informants from making public statements until an investigation is complete; to grant subpoena power to the commission and to authorize it to employ an attorney; to prohibit certain officials and employees of regulatory agencies and certain public officials, employees and families from soliciting or accepting anything of value from certain persons or organizations; and to provide further for penalties for violations.

Committee on Judiciary.

By Senator Denton:

S. 24. Relating to supernumerary tax assessors and collectors, so as to provide for a minimum annual salary for such officials.

Committee on Governmental Affairs.

By Senator Denton:

S. 25. To amend Section 36-27-16, Code of Alabama 1975, relating to the state employees' retirement system, so as to provide the same retirement mandates, qualifications and benefits for state aircraft pilots that are provided for state policemen.

Committee on Governmental Affairs.

By Senator Bennett:

S. 26. To amend Section 36-25-27, Code of Alabama, 1975, which prescribes penalties for violations of the State Ethics law, so as to establish the minimum possible penalty for violating the law at two years imprisonment or a minimum fine of \$2,001 or both and permit imposition of civil penalties.

Committee on Judiciary.

By Senator Ellis:

S. 27. To grant to the judges of the Alabama Court of Civil Appeals the power to administer oaths, take affidavits, or acknowledgements.

Committee on Judiciary.

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees as follows:

By Senator Ellis:

S. 28. To grant to the Alabama Court of Civil Appeals the power to hire staff attorneys.

Committee on Judiciary.

By Senator Bedsole:

S. 29. To establish the Timber Theft Equipment Condemnation law of the State of Alabama and to further set forth a procedure whereby vehicles and equipment used in connection with timber theft may be condemned by appropriate authorities and the same sold or awarded by court order to the State Forester for use or resale in enforcement of theft laws of the State of Alabama wherein timber or lumber are the stolen items.

Committee on Judiciary.

By Senators Bennett and Amari:

S. 30. To provide that a court of this State may require an obligor to post bond, give security, or give some other guarantee to secure the payment of overdue support.

Committee on Student and  
Youth Activities.

By Senators Bennett and Amari:

S. 31. To provide for an assignment to the Department of Pensions and Security of the right to any support owed to or for a child either in the custody of the Department of Pensions and Security and receiving foster care or receiving foster care maintenance payments under Title IV-E of the Social Security Act; to provide the Department of Pensions and Security with the authority to bring actions to establish, modify, or enforce a support

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obligation with respect to such child; to provide that a support obligation may be ordered at the time custody is granted to the Department of Pensions and Security; and to provide that the Department of Pensions and Security may collect and distribute support in accordance with rules published by the Department of Pensions and Security.

Committee on Student and  
Youth Activities.

By Senators Bennett and Amari:

S. 32. To amend sections 38-10-2 through 38-10-9, Code of Alabama 1975, which provide for the Department of Pensions and Security to operate child support programs, so as to further comply with the requirements of Title IV-D of the Social Security Act; to provide for the enforcement of spousal support as incidental to the enforcement of child support as required by Title IV-D of the Social Security Act; to provide for the establishment and modification of support orders; to provide a definition of collection agent; to provide that the acceptance of aid shall be deemed an assignment to the Department of Pensions and Security of rights to support; to clarify that, in a case where there is a court order of support, the liability for the debt to the department created pursuant to such an assignment of support rights shall apply only with respect to the support payments owed for the period of time during which aid is granted; to provide for the collection and distribution of support; and to provide for the operation of a support program; and designation of the department as the agency to administer income withholding.

Committee on Student and  
Youth Activities.

By Senator Langford (With Notice and Proof):

S. 33. Relating to Montgomery County; providing further for the compensation of the sheriff effective upon the expiration of the present term of office.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 33, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Langford:

S. 34. To amend Sections 11-46-92, 11-46-93, 11-46-96, 11-46-97, 11-46-98, 11-46-107, 11-46-111, and 11-46-122, Code of Alabama 1975, so as to establish the dates of municipal elections in certain cities or towns having commission form of government and to establish dates and other procedures required in connection with such elections.

Committee on Governmental Affairs.

By Senator Langford:

S. 35. To amend Sections 11-46-21, 11-46-22, 11-46-25, 11-46-26, 11-46-27, 11-46-36, 11-46-40, 11-46-51, and 11-43-2, Code of Alabama 1975, so as to establish the dates of municipal elections in certain cities or towns having mayor-council form of government and to establish dates and other procedures required in connection with such elections.

Committee on Governmental Affairs.

By Senator Langford:

S. 36. To amend Section 11-51-91, Code of Alabama, 1975, so as to clarify the meaning of said Section; to require a liberal construction of the meaning of said Section.

Committee on Governmental Affairs.

By Senator Langford:

S. 37. To create the Municipal Government Capital Improvement Fund; to make certain annual appropriations to such fund from the General Fund of the State based upon the amounts of income from the investment of certain moneys derived by the State from the leasing of rights in and royalty payments from offshore oil, gas and other hydrocarbon minerals; to provide for the distribution of such appropriations among incorporated municipalities; and to provide for the uses to which such monies shall be put.

Committee on Finance and Taxation.

By Senators Bedford, Amari, and Aldridge:

S. 38. To amend Sections 16-14-4, 16-14-5, 16-14-6, 16-14-7, 16-14-8, 16-14-9, 16-14-10, 16-14-11, 16-14-12, 16-14-13, 16-14-15, 16-14-17, 16-14-18, and 16-14-19 of the Code of Alabama 1975 relating to the authorization and incorporation of the Alabama Public School Corporation so as to authorize said corporation to borrow money for any corporate function, to pledge certain notes or warrants received from local school boards as security for debts of the corporation, to employ experts to assist the corporation, to obtain guarantees, insurance, surety bonds and letters of credit as security for the notes and warrants of the corporation, to establish reserve funds, and to make loans to one or more local school boards for the payment of teachers' salaries and current operating expenses; to specify that an additional purpose of the corporation shall be the borrowing of money on behalf of local school boards and the lending of such money to local school boards; to provide that all notes or warrants of the corporation shall be payable solely out of the proceeds of the minimum program fund appropriation or the proceeds from notes or warrants of local school boards to which funds are loaned by the corporation; to authorize the corporation to consult with local school boards to determine their cash needs for teacher payrolls and other current expenses; to provide that borrowings by the corporation in anticipation of appropriations from the Alabama special educational trust fund may be made on behalf of local school boards for whose benefit such appropriations have been made; to provide that the powers of the corporation shall be vested in a board of directors consisting of the director of the department of finance, the commissioner of the department of revenue and the state superintendent of education and to provide for officers of the corporation; to specify the method of dissolving the corporation; to provide for the terms and provisions of any notes or warrants issued by the corporation and the execution thereof; and to clarify that notes and warrants of the corporation shall not constitute debts or obligations or a charge against the credit or taxing power of the State of Alabama.

Committee on Education.

By Senator Dial:

S. 39. To amend further Section 40-23-5 of the Code of Alabama 1975 so as to exempt the George H. Lanier Memorial Hospital and Nursing Home



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in Chambers County from payment of state, county or municipal sales or use taxes.

Committee on Finance and Taxation.

By Senator Langford:

S. 40. To amend Section 12-15-34, Code of Alabama 1975, so as to provide that a child 14 or more years of age may be transferred by the juvenile court for criminal prosecution as an adult for any crime; to provide that the finding of probable cause at the transfer hearing in the juvenile court shall preclude a further probable cause hearing in the criminal court; to provide that the criminal court may exercise any authority over the child, once transferred, that is otherwise applicable to adult offenders; to provide that transfer to the criminal court and conviction therein terminates jurisdiction of the juvenile court over such child with respect to any pending or subsequent criminal acts; to amend the definition of "delinquent act" found in Section 12-15-1 so as to exclude criminal acts committed by a child who has previously been transferred for criminal prosecution and convicted as provided in Section 12-15-34; to amend Section 12-15-33 so as to preclude the possibility of transfer to the juvenile court of a criminal case against a child who has been previously transferred for criminal prosecution and convicted as provided in Section 12-15-34; and, to provide an effective date.

Committee on Judiciary.

By Senator Foshee:

S. 41. To amend Section 34-27-35 of the Code of Alabama 1975, relating to the regulation of real estate companies, brokers, and salesmen, so as to provide further for annual license fees.

Committee on Small Business.

By Senators Foshee and Bedford:

S. 42. To provide a uniform allowance to state employees who are required to attend the performance of their duties in uniform; and to provide an additional annual continuing appropriation for such purpose.

Committee on Finance and Taxation.

By Senators Goodwin, Denton, Foshee, Drinkard, Menton, and Amari:

S. 43. To create and provide for a developmental highway system; to make certain appropriations to the state highway department for such system from the state general fund based upon the amounts of income from the investment of certain moneys derived by the state from the leasing of rights in and royalty payments from offshore oil, gas and other hydrocarbon minerals and to authorize and empower the state highway department to develop and administer such system.

Committee on Finance and Taxation.

By Senators Goodwin and Menton:

S. 44. Relating to the regulation of the production of oil and gas in this State; to amend Sections 9-17-1 and 40-20-1, Code of Alabama 1975, to define oil and gas terms, to amend Section 9-17-6, Code of Alabama 1975, relating to the powers and duties of the State Oil and Gas Board; to amend Section 9-17-7, Code of Alabama 1975, to authorize the State Oil and Gas

Board to delegate power and authority to a hearing officer; to amend Section 9-17-12 and Section 9-17-13, Code of Alabama 1975, to eliminate the requirement that the State Oil and Gas Board shall settle disputes relative to well costs; to amend Section 9-17-24, Code of Alabama 1975, to provide for the collection of application fees and to establish the Alabama State Oil and Gas Board Special Fund; to amend Section 9-17-32, Code of Alabama 1975, to provide for fines for violations of the rules, regulations, or orders of the State Oil and Gas Board.

Committee on Governmental Affairs.

By Senators Goodwin, Teague, and Foshee:

S. 45. To amend section 36-22-61 Code of Alabama 1975, to provide the same benefits to the spouse of a Sheriff who dies in office as are currently provided for the spouse of a Supernumerary Sheriff, so long as such deceased Sheriff was eligible for Supernumerary status immediately preceding his death.

Committee on Finance and Taxation.

By Senators Bedsole and Bailey:

S. 46. To amend section 44-1-76, Code of Alabama, creating the youth services department district board of education, by establishing the method by which the board of education is appointed and by establishing the powers and duties of said board of education and the superintendent of education.

Committee on Education.

By Senator Bedsole:

S. 47. To authorize each chairman of the Senate and House of Representatives standing committees to select and utilize a legislative intern; to prescribe the qualifications and function of such intern and the expense stipend therefor; to provide that the public institution of higher education at which the intern is a full-time student shall ascribe the rate of credit available for such legislative experience; to provide the circumstances under which the legislative intern may be admitted to the floor of the respective chamber; to prescribe the length of service allowed legislative interns; and to authorize the payment of expenses from funds appropriated as a line item in Auburn University's budget.

Committee on Education.

## RESOLUTIONS

Senator Teague offered the following Senate Joint Resolution, to-wit:

**S. J. R. 1. COMMITTEE APPOINTED TO NOTIFY GOVERNOR LEGISLATURE IS IN SESSION.**

**BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING,** That a committee of three members of the Senate, to be named by the Presiding Officer of the Senate, and three members of the House, to be named by the Speaker of the House, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

On motion of Senator Teague, the Rules were suspended and the Resolution was adopted by the Senate.

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The President and Presiding Officer of the Senate appointed as members on part of the Senate Senators Goodwin, Horn, and Strong.

Senator Teague then offered the following Senate Joint Resolution, to-wit:

**S. J. R. 2. COMMITTEE APPOINTED TO ESCORT GOVERNOR  
TO JOINT SESSION OF THE LEGISLATURE.**

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That a joint session of the House and Senate be held at 6:30 P.M. on January 14, 1986, for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama.

AND BE IT FURTHER RESOLVED, That a committee of three from the Senate, to be named by the Presiding Officer of the Senate, and three from the House, to be named by the Speaker of the House, be appointed to wait upon the Governor as a Committee to escort the Governor to the House for the joint session.

On motion of Senator Teague, the Rules were suspended and the Resolution was adopted by the Senate.

The President and Presiding Officer of the Senate appointed as members on part of the Senate Senators Amari, Little, and Aldridge.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Johnson (Roy):

**H. J. R. 2. COMMITTEE APPOINTED TO NOTIFY GOVERNOR  
LEGISLATURE IS IN SESSION.**

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That a committee of three members of the House, to be named by the Speaker of the House, and three members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

And the Speaker has appointed as a committee on the part of the House Reps. Goodwin, Moore, and Turner.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator deGraffenried, the Rules were suspended and the Resolution, H. J. R. 2, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as members on part of the Senate Senators Goodwin, Horn, and Strong.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Johnson (Roy):

**H. J. R. 3. COMMITTEE APPOINTED TO ESCORT GOVERNOR TO JOINT SESSION OF LEGISLATURE.**

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That a joint session of the House and Senate to be held at 6:00 P.M. on January 14, 1986 for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama.

AND BE IT FURTHER RESOLVED, That a committee of three from the House, to be named by the Speaker of the House, and a committee of three from the Senate to be named by the Presiding Officer of the Senate, be appointed to wait upon the Governor and advise him that the two Houses will meet in joint session at the hour named above, for the purpose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

And the Speaker appointed as a committee on the part of the House Reps. White (F), Reed, and Rains.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator deGraffenried, the Rules were suspended and the Resolution, H. J. R. 3, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as members on part of the Senate Senators Amari, Little, and Aldridge.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Johnson (Roy):

**H. J. R. 4. RELATIVE TO MEETING DAYS.**

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when we adjourn today, Tuesday, January 14, 1986, that we adjourn to meet again on Thursday, January 16, 1986.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator Teague, the Rules were suspended and the Resolution, H. J. R. 4, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. White (L):

H. J. R. 6. CONGRATULATING MR. AND MRS. JESSE CLYDE JACKSON ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator deGraffenried, the Rules were suspended and the Resolution, H. J. R. 6, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

**MOTION TO ADJOURN**

Senator deGraffenried moved that when the Senate adjourns today, it adjourn to meet again on Thursday, January 16, 1986 at 10 o'clock A.M., which motion was adopted.

**RECESS**

At 12:45 P.M., on motion of Senator deGraffenried, the Senate took a recess until 6 o'clock P.M.

NIGHT SESSION  
FIRST LEGISLATIVE DAY  
TUESDAY, JANUARY 14, 1986

The Senate reassembled in the Senate Chamber and was called to order by Lieutenant Governor Baxley.

## ROLL CALL

Present:

Senators:	Cabaniss	Drinkard	Langford
Aldridge	Cooley	Ellis	Little
Amari	Corbett	Foshee	Menton
Bailey	Covington	Goodwin	Mitchem
Barron	deGraffenried	Hand	Parsons
Bedford	Denton	Hilliard	Smith (J)
Bedsole	Dial	Holmes	Strong
Bennett	Dixon	Horn	Teague
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## INTRODUCTION OF BILLS RESUMED

By Senator Corbett:

S. 48. Relating to the Alabama Sunset Law; to continue the existence and functioning of the board of heating and air conditioning contractors as provided in Sections 34-31-18 through 34-31-34 of the Code of Alabama 1975; with certain modifications; to amend Sections 34-31-21 and 34-31-28, so as to provide further for persons who may be certified without having to be examined by the board; and to authorize the board to adopt minimum repair and service standards or criteria for its registered contractors; and to provide for misdemeanor penalty for noncompliance.

Committee on Governmental Affairs.

By Senators Corbett, Holmes, Menton, and Teague:

S. 49. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Board of Registration for Foresters as provided in Sections 34-12-1 through 34-12-37 of the Code of Alabama 1975, with certain modifications; to amend Sections 34-12-5, 34-12-6, 34-12-8, 34-12-9, 34-12-30, 34-12-32 and 34-12-36, so as to increase annual license issuance fees; increase examination fees; increase annual notification of renewal license fees; increase reissuance or reinstatement of license fees; rename Alabama chapter the Alabama "Division"; increase per diem allowances for meeting days of board members; and to require bonding of certain officers of the board.

Committee on Governmental Affairs.

By Senators Corbett, Holmes, Menton, and Teague:

S. 50. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Board of Dental Examiners as provided in Sections 34-9-40 through 34-9-47 of the Code of Alabama 1975, and the legislature's concurrence thereof.

Committee on Governmental Affairs.

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By Senators Corbett, Holmes, Menton, and Teague:

S. 51. Relating to the Alabama Sunset Law; to continue the existence and functioning of the State Oil and Gas Board as provided in Sections 9-17-1 through 9-17-32 of the Code of Alabama 1975; and the legislature's concurrence thereof.

Committee on Governmental Affairs.

By Senators Bailey and Strong:

S. 52. Relating to lakes or ponds in this state which are privately owned by three or less owners; to prohibit one owner or his or her guests or licensees from fishing upon any portion of the lake owned by another joint owner without permission of the other joint owner or owners; to provide that persons who violate this act shall be guilty of a violation of trespass in the third degree; and to authorize any landowner to obtain a professional land survey at his or her own expense of the property lying under the lake in order to determine which portion of the lake belongs to the landowner.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Little:

S. 53. To authorize the State Treasurer to deposit state funds in interest-bearing demand deposit accounts.

Committee on Banking and Insurance.

By Senator Teague:

S. 54. To amend Section 34-23-51, Code of Alabama 1975, which provides for licensing and examinations of pharmacists, so as to provide further for the examination of applicants for the profession.

Committee on Health and Welfare.

By Senators Corbett, Holmes, Menton, and Teague:

S. 55. Relating to the Alabama Sunset Law; to continue the existence and functioning of the State Licensing Board of General Contractors as provided in Sections 34-8-1 through 34-8-27 of the Code of Alabama 1975, with certain modifications; to amend Sections 34-8-2 and 34-8-24, so as to provide that application fees for licenses will be nonrefundable and to provide further for meetings of the board.

Committee on Governmental Affairs.

By Senators Corbett, Holmes, Menton, and Teague:

S. 56. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Radiation Control Agency and the Radiation Advisory Board as provided in Sections 22-14-1 through 22-14-35 of the Code of Alabama 1975; and the legislature's concurrence thereof.

Committee on Governmental Affairs.

By Senator Corbett:

S. 57. To exempt the Dixie Youth Baseball and Ladonia Recreation Association in Russell County from all state and local sales and use taxes.

Committee on Finance and Taxation.

By Senator Cooley:

S. 58. To amend section 35-11-371 of the Code of Alabama 1975 relating to the perfection of a lien for charges for hospital services so as to provide further for perfecting such lien by extending the time for filing and changing the place of filing.

Committee on Consumer Affairs.

By Senator Cooley:

S. 59. To further provide for election procedures, recordkeeping, and poll lists; to amend Section 17-13-7 of the Code of Alabama 1975, relating to elections, so as to provide that results of elections be reported to the secretary of state by precinct, and that the poll lists required by Sections 17-13-6 and 17-7-15, Code of Alabama 1975, be sent to the secretary of state; to repeal laws in conflict with the provisions of this act and Sections 17-7-16 and 17-7-17, Code of Alabama 1975, relating to the sealing and use of poll lists; to provide that provisions of this act are supplemental to Chapter 4, Title 17, Code of Alabama 1975, except as in direct conflict with the provisions of this act.

Committee on Governmental Affairs.

By Senator Cooley (With Notice and Proof):

S. 60. Relating to Cullman County; to amend further Act No. 711, H. 1109, Regular Session 1976 (Acts 1976, p. 991), as amended by Act No. 81-1037, H. 38, Second Special Session 1981 (Special Session Acts 1981, p. 237), and Act No. 85-886, H. 13, Regular Session 1985, which act charges a court cost in criminal cases to be remitted to the juvenile probation fund and the county sheriff's office, so as to charge an additional \$3.00 court cost on each criminal case in the county, the proceeds to be earmarked for juvenile programs, and expenses and subsistence for the juvenile probation officer's office, to specifically repeal Act 85-886, H. 13, 1985 Regular Session, and to provide that this act shall be retroactively effective to September 19, 1985.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 60, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Foshee:

S. 61. To amend Section 29-1-22, Code of Alabama 1975, which provides for legislative funding, so as to provide further for said funding.

Committee on Finance and Taxation.

By Senator Little:

S. 62. To amend Section 36-1-7, Code of Alabama 1975, which provides for the state employee suggestion award program, so as to provide further for said program.

Committee on Governmental Affairs.



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By Senator Denton (With Notice and Proof):

S. 63. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of St. Florian in Lauderdale County.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 63, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Ellis:

S. 64. To exempt athletic events held by certain schools from state sales and use taxes.

Committee on Finance and Taxation.

By Senator Little:

S. 65. To amend Section 32-1-1.1, Code of Alabama 1975, which defines certain words for purposes of the Motor Vehicle Code, so as to include vehicles of certified volunteer fire departments within the definition of "authorized emergency vehicle."

Committee on Commerce,  
Transportation, and Utilities.

By Senators Dixon, Foshee, Hand, Bedsole, Dial, Bedford, Ellis, and Cabaniss:

S. 66. Relating to the certification of teachers in public school systems in Alabama; to require that prospective teachers shall be required to take and pass the National Teachers Examination as a condition of certification; to revoke the present state test; and to exempt teachers who are certified as of the effective date of this act.

Committee on Education.

By Senator Langford:

S. 67. To amend Section 27-41-14, Code of Alabama 1975, which provides for investments of life, disability and burial insurance companies, so as to allow said companies to invest in the African Development Bank.

Committee on Banking and Insurance.

By Senator Langford:

S. 68. To provide that full-time employees and executive officers of the Alabama Opportunities Industrialization Center may elect to become members of the teachers' retirement system of Alabama; also to provide that said Center and its employees shall assume all costs, both contributory and administrative; and no cost shall devolve upon the State.

Committee on Education.

By Senator Ellis:

S. 69. To amend Section 41-8-2, Code of Alabama 1975, relating to the board of the Alabama public library service, so as to increase the membership

of the said board and to require that each congressional district be represented; to provide for filling vacancies and residential requirements.

Committee on Governmental Affairs.

By Senator Langford:

S. 70. To amend Section 19-3-120, Code of Alabama 1975, which provides for the classes of authorized investments, in which trustees, executors, administrators and other fiduciaries may invest, so as to include the African Development Bank within such classes of investments.

Committee on Banking and Insurance.

By Senator Mitchem:

S. 71. To provide that persons now employed by two-year public colleges of the State of Alabama who were employed by said institutions prior to such time as said institutions became state supported, to purchase credit for up to eleven years for such service under the Teachers' Retirement System of Alabama.

Committee on Finance and Taxation.

By Senators Bedford, Little, Aldridge, Amari, and Cooley:

S. 72. To amend Rule 4(e), Alabama Rules of Civil Procedure, under authority of Section 6.11, Article VI, Constitution of Alabama of 1901, so as to provide further for service of process where service is refused or unclaimed.

Committee on Judiciary.

By Senators Mitchem and Bedford:

S. 73. To amend Section 17-4-153, Code of Alabama 1975, relating to expense allowances for registrars, so as to provide for an increase.

Committee on Governmental Affairs.

By Senator Smith (J):

S. 74. To provide that any person convicted of certain crimes of violence shall not be eligible for work release.

Committee on Judiciary.

By Senators Hand, Foshee, Bedford, Menton, Ellis, Parsons, Bedsole, Dixon, Dial, Holmes, Strong, and Denton:

S. 75. To amend Section 16-13-58, Code of Alabama 1975, which provides for the State Board of Education to determine the amount of funds needed by each county and city from the Minimum Program Fund, so as to provide that the full cost of the Minimum Program be paid.

Committee on Finance and Taxation.

By Senator Little:

S. 76. To amend Section 32-5A-154 and Section 32-5A-155, Code of Alabama, 1975, to require that all school buses transporting public and private school children be painted National School Bus Yellow and buses used for other transportation purposes be painted a color other than yellow.

Committee on Education.

By Senators Dixon and Langford:

S. 77. To provide for creditable service for purposes of service retirement for unused accrued sick leave for retiring state merit system employees.

Committee on Finance and Taxation.

By Senator Aldridge:

S. 78. To amend Section 36-7-40 of the Code of Alabama 1975 so as to further provide for the reimbursement of state employees for moving expenses.

Committee on Governmental Affairs.

By Senator deGraffenried:

S. 79. To amend Sections 9-4-11 and 9-4-12, Code of Alabama 1975, so as to provide the state geologist with the authority to enter into agreements with the United States geological survey in the execution of cooperative geologic surveys of the State of Alabama.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator deGraffenried:

S. 80. To amend Section 41-9-374 of the Code of Alabama 1975, relating to certain appropriation provisions for the Alabama commissioners on uniform state laws, so as to remove the limitation on funds payable to the national conference of commissioners on uniform state laws.

Committee on Finance and Taxation.

By Senators Bailey, Hand, and Dixon:

S. 81. To amend Section 16-23-4, Code of Alabama, 1975, to increase the applicant fee paid for a teaching certificate from \$10.00 to \$20.00 and to establish a fee for a substitute teaching certificate.

Committee on Education.

By Senator deGraffenried:

S. 82. To amend section 17-4-156 of the Code of Alabama 1975 relating to meeting days of the boards of registrars and working days of registrars so as to clarify certain provisions thereof by conforming certain language to that of the act from which it was originally codified and by restructuring the form of such section.

Committee on Governmental Affairs.

By Senator Little:

S. 83. To amend Section 22-50-9 of the Code of Alabama 1975, relating to the powers generally of the Department of Mental Health and Mental Retardation so as to provide that the Department is not authorized to exercise custody and control of a person or persons not residing in a facility of the Department.

Committee on Governmental Affairs.

By Senator deGraffenried:

S. 84. To amend Section 16-13-52, Code of Alabama, 1975, relating to the minimum school program fund, so as to change the attendance period for apportioning the minimum program fund from the first four scholastic months to the first two scholastic months for the preceding school year and to repeal subsection (b).

Committee on Business and  
Labor Relations.

By Senator deGraffenried:

S. 85. To further amend §40-23-1, Code of Alabama 1975, as amended, which section contains various definitions applicable to the Alabama sales tax, so as to amend the definition of "sale or sales," and declaring that this bill does not provide any grounds for jurisdiction for collecting sales or use tax over retailers who have not otherwise submitted to the jurisdiction of this state for tax purposes.

Committee on Finance and Taxation.

By Senators Menton, Corbett, Cooley, Aldridge, Denton, Bedford, Amari, and Strong:

S. 86. To require the Department of Pensions and Security to charge a fee for the processing of an application for a license or approval to operate a child care facility and a fee for a change in a license or approval to operate a child care facility. To provide that no fee shall be charged for the processing of an application for a license or approval to operate a foster family home, child care institution, institution for child care or group home. To require that said fees shall be deposited in the State Treasury to the credit of the State Public Welfare Trust Fund.

Committee on Health and Welfare.

By Senator Dial:

S. 87. To amend sections 34-26-22, 34-26-43 and 34-26-43.1, Code of Alabama 1975, relating to the Board of Examiners In Psychology, so as to provide for increases in certain fees charged by the Board.

Committee on Governmental Affairs.

By Senators Dixon and Langford:

S. 88. To amend Sections 16-25-11 and 36-27-11, Code of Alabama 1975, relating to the teachers' retirement system and the employees' retirement system, respectively, so as to provide further for the number of years of contributing membership service a member of such retirement systems shall complete before being allowed to restore previous creditable service with either such retirement system.

Committee on Finance and Taxation.

By Senators Cooley, Drinkard, Mitchem, Smith (J), Hilliard, Teague, Horn, Holmes, Bedford, Dial, Covington, Corbett, deGraffenried, Parsons, Dixon, Bedsole, Aldridge, Cabaniss, Goodwin, Menton, Foshee, Bennett, and Amari:

S. 89. Relating to banks, banking and branch banking which: amends Title 5 of the Alabama Code of 1975 by adding Chapter 13A so as to create

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the "Alabama Regional Reciprocal Banking Act of 1986"; provides definitions; authorizes any bank holding company whose principal place of business is in any one of certain jurisdictions to acquire banks and bank holding companies located in Alabama under certain conditions and limitations; requires divestiture in certain circumstances; provides applicable law and for regulatory supervision and enforcement authority; provides for application fees; provides for severability of provisions; restricts amendment of §5-5A-20, Code of Alabama, 1975; and provides an effective date.

Committee on Banking and Insurance.

By Senators Ellis, Bedford, and Hand:

S. 90. To establish the venue for all civil actions for damages for personal injury, death or property damage filed against a county or against a municipality.

Committee on Judiciary.

By Senators Ellis and Hand:

S. 91. To amend Section 11-43-40, Code of Alabama 1975, relating to the composition of city councils in cities having a population of 12,000 or more so as to provide for a procedure to establish a council of not less than five nor more than seven aldermen to be elected from districts.

Committee on Governmental Affairs.

By Senators Bennett and Horn:

S. 92. To amend Section 38-2-2 of the Code of Alabama 1975 relating to the state board of pensions and security so as to further provide for the election of two state employees to the board.

Committee on Governmental Affairs.

By Senators Ellis, Bedford, and Hand:

S. 93. To amend Section 12-14-5, Code of Alabama 1975, which Section relates to the bail of persons charged with violations of municipal ordinances and to amend Section 12-14-70, Code of Alabama 1975, as amended, which Section relates to appeals to the circuit court from judgments of municipal courts; to establish an effective date.

Committee on Judiciary.

By Senator Cooley:

S. 94. To amend Section 36-13-12, Code of Alabama, 1975, in order to increase the retirement benefits of any unmarried widow who was the wife of a governor of Alabama during his term of office.

Committee on Governmental Affairs.

By Senator Drinkard:

S. 95. To provide that upon the death of a state employee his beneficiary shall be entitled to a payment of at least one-half of his accrued sick leave.

Committee on Finance and Taxation.

By Senator Smith (J):

S. 96. To amend Section 13A-6-20 of the Code of Alabama 1975, relating to assault in the first degree so as to provide further for the elements of such crime.

Committee on Judiciary.

By Senator Smith (J):

S. 97. To amend Section 13A-10-30, which defines certain terms in the criminal code, so as to further define the term "escape"; provides that escape while on work release shall constitute a felony; and repeals Sections 14-8-42 and 14-8-67, Code of Alabama 1975.

Committee on Judiciary.

By Senator Smith (J):

S. 98. To amend Section 22-50-22, Code of Alabama 1975, which exempts the superintendent of, or a physician of, the mental health board from being a witness in certain cases, so as to permit depositions to be taken by the plaintiffs, defendants or the state or the superintendent or any physician of a state mental health facility or hospital in criminal and civil proceedings, upon proper notice.

Committee on Judiciary.

By Senator Smith (J):

S. 99. To amend Section 15-22-27, Code of Alabama 1975, to provide that an inmate whose death sentence was imposed under a statute providing life imprisonment without parole shall serve a sentence of life imprisonment without parole if his death sentence is so commuted by the Governor.

Committee on Judiciary.

By Senator Smith (J):

S. 100. To amend Section 36-25-4 of the Code of Alabama 1975 relating to powers and duties of the state ethics commission, so as to provide legal counsel for such commission.

Committee on Judiciary.

By Senators Denton, Teague, Mitchem, Foshee, Holmes, Covington, Bailey, Smith (J), Menton, Bedford, Dixon, Hand, Aldridge, Cabaniss, Amari, Goodwin, Strong, Bennett, Dial, Little, Bedsole, deGraffenried, and Horn:

S. 101. Relating to all civil actions in tort, contract or otherwise against architects and engineers arising out of any defect or deficiency in the design, planning, testing, supervision, administration or observation of construction of an improvement on or to real property, or against builders who construct, or perform or manage construction of, an improvement on or to real property designed by and constructed under the supervision of an architect or engineer, arising out of any defect or deficiency in the construction of an improvement on or to real property; to provide a definite statute of limitations of three years after a cause of action accrues or arises in all such actions; to provide a bar to relief for all causes of action and to all rights of action which accrue more than seven years after the substantial completion of construction of an improvement on or to the real property; to provide when a cause of

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action accrues or arises; to provide that this Act does not apply to causes of action which have accrued prior to its effective date; to provide that this Act does not create any cause of action against such architects or engineers or builders or any other persons; to define terms; and to repeal all conflicting laws.

Committee on Judiciary.

By Senator Denton:

S. 102. Relating to all civil actions in tort, contract or otherwise against materialmen who provide labor, material and supplies used in the construction of an improvement on or to real property; to provide a definite statute of limitations of three years after a cause of action accrues or arises in all such actions; to provide a bar to relief for all causes of action and to all rights of action which accrue more than seven years after the substantial completion of construction of an improvement on or to the real property; to provide when a cause of action accrues or arises; to provide that this act applies to causes of action which have accrued prior to its effective date; to provide that this act does not create any cause of action against materialmen or any other person; to define terms; and to repeal all conflicting laws.

Committee on Judiciary.

By Senator Little:

S. 103. The Probate Court shall have authority and the duty to appoint any suitable person or agency, public or private, including a private association or non-profit corporation as a "guardian" for a developmentally disabled person.

Committee on Health and Welfare.

By Senators Bennett, Amari, Aldridge, Strong, Bedford, and Horn:

S. 104. To amend Sections 16-36-7 and 16-36-27 of the Code of Alabama, 1975, so as to allow State adoption and purchase of educational materials for children enrolled in the public kindergartens of the State.

Committee on Education.

By Senators Langford and Dixon:

S. 105. To provide further a salary increase for certain state employees and to appropriate funds therefor for the fiscal year ending September 30, 1987.

Committee on Finance and Taxation.

By Senator Corbett:

S. 106. To require the Department of Pensions and Security to charge a fee of \$20.00 (Twenty Dollars) per hour to be assessed as costs against the parties for investigation services performed in any cases involving divorce or divorce modifications.

Committee on Governmental Affairs.

By Senators Goodwin, Teague, and Foshee:

S. 107. To amend section 36-21-9 of the Code of Alabama 1975, which provides for a card authorizing an honorably retired law enforcement officer

to carry a handgun so as to change the issuance of the card from an annual to a permanent basis.

Committee on Buildings and Grounds.

By Senators Foshee and Bedford:

S. 108. To amend Section 36-21-2 of the Code of Alabama 1975 which provides a subsistence allowance for certain state law enforcement officers so as to provide that law enforcement officers with the department of corrections and any other state law enforcement officer with the power of arrest shall receive said subsistence allowance.

Committee on Finance and Taxation.

By Senator deGraffenried:

S. 109. To amend Article 19 of Chapter 4 of Title 10 of the Code of Alabama (1975), as amended, the Revised Alabama Professional Corporation Act, by amending Sections 10-4-389, 10-4-403 and 10-10-2 of the Code of Alabama (1975), as amended to determine the date of disqualification of shareholders, to allow corporations in existence December 31, 1983 in which licensed medical and dental professionals were allowed to be shareholders under Section 10-4-235, Code of Alabama (1975), to continue, and to repeal Section 10-10-10 Code of Alabama (1975) which requires annual reports of professional associations.

Committee on Judiciary.

By Senator Teague:

S. 110. To provide longevity pay for certain employees of the state; to prescribe the amount of such pay and the manner of its payment; and to appropriate funds for the purposes of the act.

Committee on Finance and Taxation.

By Senator Teague:

S. 111. To authorize the State Health Planning Agency to issue certificates of need to health care providers of private psychiatric beds and facilities in this state, regardless of any administrative practice or directive to the contrary, based upon certain findings that a need exists for such new beds and facilities.

Committee on Health and Welfare.

By Senator Teague:

S. 112. To amend Sections 11-51-120, 11-51-121, and 11-51-122, Code of Alabama 1975, so as to clarify and further define the authority of municipalities to levy licenses on insurance companies doing business in such municipalities.

Committee on Banking and Insurance.

By Senator Teague:

S. 113. To authorize any municipality or group of municipalities, either individually or collectively, to establish a health and accident self-insurance group for the purpose of providing health care and hospital benefits for their officers, employees and family members dependent upon such officers or



employees; to authorize the use of public funds in providing such benefits; to provide procedures for the establishment and operation of such groups; to exempt such groups from regulation by the Department of Insurance of the State of Alabama; to exempt such groups from insurance premium taxes; and to establish an effective date.

Committee on Banking and Insurance.

By Senator Teague:

S. 114. Relating to the licensing of real estate brokers and salesmen; to amend Section 34-27-35 of the Code of Alabama 1975 so as to provide for certain continuing education requirements for license renewal.

Committee on Small Business.

By Senator Teague:

S. 115. To amend the title and section 1 of Act No. 79-611, H. 239, 1979 Regular Session (Acts 1979, p. 1081), now appearing in Section 36-27-15.2, Code of Alabama 1975, relating to the granting of creditable service in the retirement systems for service out-of-state, so as to provide for the transfer from the teachers' retirement system to the employees' retirement system and vice versa.

Committee on Finance and Taxation.

By Senator Teague:

S. 116. To amend Section 36-27-6(a), Code of Alabama 1975, to permit the full-time employees and executive officers of the Alabama State Employees' Association and the Alabama Retired State Employees' Association to participate in the Employees' Retirement System of Alabama.

Committee on Aging.

By Senator Dixon:

S. 117. To include school systems and institutions in the definition of government so as to make it illegal to knowingly falsify certain school records.

Committee on Education.

By Senator Teague:

S. 118. To regulate the sale of pre-need funeral contracts in this State; to prohibit the use of such pre-need funeral contracts except upon compliance with the provisions hereof; to provide for the depositing of at least 90% of the proceeds received by an issuer (as defined in this act) from a contract purchaser (as defined in this act) to be held in trust; to provide for the issuance by the state superintendent of banks of a certificate of authority to sell pre-need funeral contracts and to provide for renewal of that certificate; to provide for the disposition of funds upon the death of the beneficiary or upon breach of the pre-need funeral contract by the issuer and in certain other events; to provide for the keeping of books and records by issuers pertaining to pre-need funeral contracts; to provide for the establishment of the Pre-need Funeral Contract Board; to provide for the inspection by the state superintendent of banks of such books and records; to provide an effective date; and to prescribe the penalty for violation of this act.

Committee on Consumer Affairs.

By Senators Bedsole, Corbett, Strong, and Menton:

S. 119. To require the State Department of Pensions and Security to charge a fee for the processing of adoption applications, said fee to be paid upon placement of a child in the home of the applicant. To provide that no fee shall be charged to an applicant seeking to adopt a child in special circumstances as defined in the Alabama Subsidized Adoption Act and that the Commissioner of the State Department of Pensions and Security may waive such fees.

Committee on Student and  
Youth Activities.

By Senator Bedsole:

S. 120. To amend Section 16-28-3, Code of Alabama, 1975, relating to ages of children required to attend school, so as to require a change in the age levels necessary to attend school from 7-16 to 6-16 years.

Committee on Education.

By Senator Teague:

S. 121. Relating to the practice of veterinary medicine and surgery in Alabama; to provide for the issuance, suspension, revocation and renewal of licenses for persons admitted to or engaged in the practice of veterinary medicine as a veterinarian or veterinary technician; to create the Alabama State Board of Veterinary Medicine to administer the act; to provide for its organization, officers, jurisdiction, powers and duties; to provide for certain inspections of facilities and the issuance of premise permits; to provide for hearings and appeals; to impose fees and charges and provide for the use of such; to prescribe penalties; and to repeal conflicting laws and to specifically repeal Sections 34-29-1 through 34-29-6, 34-29-20 through 34-29-23 and 34-29-40 through 34-29-46 of the Code of Alabama 1975.

Committee on Health and Welfare.

By Senator Denton:

S. 122. To amend Section 9-13-126, Code of Alabama 1975, relating to the "control of forest tree insects and diseases fund" in the state treasury so as to provide for the appropriation, allocation and replenishing of monies in said fund each year; and requiring the state comptroller to replenish the funds within a period of one week following commencement of each state fiscal year.

Committee on Finance and Taxation.

By Senator Amari:

S. 123. To amend section 32-1-4, Code of Alabama 1975, to provide that custodial arrest is authorized for certain traffic offenders in order to assure that sufficient bond is given and to delete the provision requiring an immediate hearing upon demand by the offender.

Committee on Judiciary.

By Senator Bedsole:

S. 124. To permit local boards of education and the Alabama Institute for Deaf and Blind to use a part of their kindergarten teacher unit funds under certain conditions to employ teacher aides to assist with the kinder-

garten instructional program based upon criteria established by the state superintendent of education and with his prior approval.

Committee on Education.

By Senator Teague:

S. 125. To insure the safety of presently existing and future dams and reservoirs in this state; to authorize the Alabama Emergency Management Agency to conduct safety inspections of certain dams in this state and to provide for the issuance of certificates of approval for the construction of new dams; to grant additional powers and authority to the Director of the Alabama Emergency Management Agency; to provide for appeals from final determination by the Director; to place certain restrictions upon the regulation or supervision of any dams or reservoirs by any individual or any county or municipal governing body; and to prescribe criminal and civil penalties.

Committee on Military Affairs.

By Senator Corbett:

S. 126. To amend Sections 16-8-26, 16-8-26.1, and 21-1-22, Code of Alabama, 1975, so as to further provide for personal leave and to provide for the accumulation of personal leave days by teachers and support personnel.

Committee on Education.

By Senators Strong, Drinkard, Menton, Teague, Ellis, Bennett, Bedsole, Bedford, Aldridge, Horn, Langford, and Goodwin:

S. 127. To abolish any zoning law, ordinance or regulation which prohibits mentally retarded or mentally ill persons from living in a natural residential environment zoned "multi family" as it appears in zoning laws or ordinances so as not to exclude certain groupings of mentally retarded or mentally ill persons.

Committee on Health and Welfare.

By Senator Cooley:

S. 128. To allow certified copies of case action summary or docket sheets or other court records to be admitted into evidence for the purpose of proving that a person has been previously convicted of a crime.

Committee on Judiciary.

By Senator Cooley:

S. 129. To provide for the creation, promulgation, and dissemination of written policies for educational support personnel.

Committee on Education.

By Senator Cooley:

S. 130. To amend §13A-6-3 of the Code of Alabama, 1975, to provide that manslaughter is a Class B felony.

Committee on Judiciary.

By Senator Corbett:

S. 131. To amend Sections 16-36-2 and 13A-14-2, Code of Alabama 1975, so as to provide for increased classroom teacher representation on the State Textbook Committee and to require open meetings.

Committee on Education.

By Senator Cooley:

S. 132. To further regulate and control alcoholic beverage transactions in wet counties and municipalities in Alabama under the control and supervision of the alcoholic beverage control board; to provide uniform definitions applicable to Chapter 3, Title 28, Code of Alabama 1975, and to the Alcoholic Beverage Licensing Code, being Act No. 80-529, Acts of Alabama 1980, as amended, appearing as Chapter 3A, Title 28, Code of Alabama 1975, as amended, and to the Alabama Table Wine Act, being Act 80-382, Acts of Alabama 1980, as amended, appearing as Chapter 7, Title 28, Code of Alabama 1975, as amended; and to repeal all laws or parts of laws in conflict herewith.

Committee on Judiciary.

By Senator Dial:

S. 133. To amend Section 40-12-240 of the Code of Alabama 1975, relating to motor vehicle licenses, so as to further define the term "private passenger automobile".

Committee on Commerce,  
Transportation, and Utilities.

By Senator Teague:

S. 134. To provide further for the Alabama Emergency Management Act, Articles 2, 3, 4, 6, 7, 8, 9, 10, 11, 14, 16, 17, 18, 20, 21, 22 and 24 of Chapter 9, Title 31, Code of Alabama 1975, so as to include certain other causes of emergencies other than those resulting from hostile military action, to encourage counties and other political subdivisions to assist in emergency management programs and to authorize state grants thereto for such programs, to provide for the appointment of directors for local organizations which aid in emergency management; to authorize political subdivisions to evacuate civilians during emergencies, to provide further for penalties for violations of said Chapter 9; and to provide continuing annual appropriations for certain emergency management programs at the governor's discretion.

Committee on Military Affairs.

By Senator deGraffenried:

S. 135. To amend Section 10-3A-2(8) of the Code of Alabama 1975, which section relates to the Alabama Nonprofit Corporation Act, so as to amend the definition of members to include a domestic or foreign nonprofit corporation.

Committee on Business and  
Labor Relations.

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By Senators Strong, Langford, and Hand:

S. 136. To create the Mowa Choctaw Housing Authority; provide for the terms of the members and officers of the Authority; and provide for the powers of the Authority.

Committee on Industrial Expansion,  
Economic Growth, and Jobs.

By Senators Strong, Bedsole, Drinkard, and Goodwin:

S. 137. To amend Section 16-24-2, Code of Alabama, 1975, to allow county and city boards of education, upon the recommendation of the superintendent, to grant "continuing service status" to teachers who have completed at least one academic year of employment and who have had "continuing service status" previously granted in another school system.

Committee on Education.

By Senator deGraffenried:

S. 138. To amend Section 41-1-6 of the Code of Alabama 1975, so as to increase the dollar value from \$100.00 to \$500.00 for nonconsumable personal property which has to be reported by the property manager of each department or agency of the state, and decreasing the frequency of the report from every six months to once every year.

Committee on Governmental Affairs.

By Senator Bennett:

S. 139. To amend Section 16-10-1, Code of Alabama, 1975, so as to eliminate the requirement that local school trustees must be appointed by the county board of education and to repeal Sections 16-10-4 and 16-10-9, Code of Alabama, 1975.

Committee on Education.

By Senator Corbett:

S. 140. To require any person or legal entity desiring to operate an amusement attraction or amusement ride in the state to make application for and obtain a permit to do so; to require proof of liability insurance coverage for personal injury and property damage as a condition of obtaining such permit; to provide definitions; to provide for annual fees and the disposition of fees; to provide exemptions; to require inspection of rides and attractions; to provide for emergency permits; to authorize the insurance commissioner to make rules to implement the act; to provide penalties for violations; and to provide for an effective date.

Committee on Small Business.

By Senator deGraffenried:

S. 141. To amend Section 36-16-8 of the Code of Alabama 1975, to increase the dollar value from \$100.00 to \$500.00 for nonconsumable property that has to be reported by the property manager of each department or agency of the state to the property inventory control division, and decreasing the frequency of reporting from every six months to every year.

Committee on Governmental Affairs.

By Senators Parsons, Teague, Amari, Cabaniss, Hilliard, Drinkard, Little, Holmes, Goodwin, Bedford, Bennett, Smith (J), Menton, Barron, Corbett, Horn, Dixon, and Ellis:

S. 142. To grant tax exemptions for the benefit of certain air carriers; to exempt from the tax levied by Article 6 of Chapter 3 of Title 28 of the Code of Alabama 1975 on the sale of spirituous or vinous liquors certain sales of spirituous or vinous liquors to a certificated or licensed air carrier with "a hub operation within this state," as herein defined; to amend Section 40-9-1, Code of Alabama 1975, by adding subdivision (24) to exempt from ad valorem tax all aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-12-223, Code of Alabama 1975, by adding subdivision (13) to exempt from rental tax the gross proceeds accruing from the leasing or rental of aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-14-41, Code of Alabama 1975, by adding subdivision (d)(2)(E) to provide for a deduction from the amount of capital employed in the state for purposes of computing the franchise tax applicable to foreign corporations the amount invested by the taxpayer in all real and personal property, equipment, facilities, structures and components thereof including all aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-17-31, Code of Alabama 1975, by adding subdivision (d)(4) to exempt from excise tax gasoline or other fuel used to propel aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-4, Code of Alabama 1975, by adding subdivision (40) to exempt from sales tax the gross receipts from the sale of aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-4 by adding subdivision (41) to exempt from sales tax the gross receipts from the sale of hot or cold food and beverage products sold to or by a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-62, Code of Alabama 1975, by adding subdivision (32) to exempt from use tax the storage, use or other consumption of any aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; and to further amend Section 40-23-62, Code of Alabama 1975, by adding subdivision (33) to exempt from use tax the storage, use or other consumption of hot or cold food and beverage products sold to or by a certificated or licensed air carrier with a hub operation within this state.

Committee on Commerce,  
Transportation, and Utilities.

By Senator Denton:

S. 143. Relating to the eradication and control of swine diseases; to make a conditional appropriation to the Department of Agriculture and Industries for the fiscal year ending September 30, 1987, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for

the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

Committee on Finance and Taxation.

By Senator Teague:

S. 144. To amend Section 14-3-9, Code of Alabama 1975, relating to the reporting of violations of law and arrest powers by and for Department of Corrections personnel, so as to provide certain specified employees of the Department of Corrections with full and unlimited police powers and jurisdiction as any other state police officer.

Committee on Judiciary.

By Senators Goodwin, Drinkard, Denton, Menton, and Amari:

S. 145. To repeal Sections 40-17-130, 40-17-131, 40-17-132, and 40-17-133, Code of Alabama 1975, as amended, which sections relate to reduction of rate of taxation on gasohol.

Committee on Finance and Taxation.

By Senator Parsons:

S. 146. To establish certain regulations pertaining to public educational personnel records.

Committee on Education.

By Senators Bedford, Amari, Hilliard, Menton, Denton, Bennett, Drinkard, and Strong:

S. 147. To establish a condemnation law of the State of Alabama for vehicles and equipment used in setting woodland or grassland fires and to further set forth a procedure whereby vehicles and equipment used in connection with such unlawful acts be condemned by appropriate authorities and the same sold or awarded by court order to the State Forester for use or resale in enforcement of Code of Ala.(1975), Sec. 9-13-11(a)(1).

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Bennett:

S. 148. To amend Sections 25-8-4, 25-8-8, and 25-8-16, Code of Alabama, 1975, so as to bring Alabama's Child Labor statutes into agreement with existing Federal regulations pertaining to working hours of children under age sixteen and establishes additional specific working hours for certain children enrolled in school and also provides for exemptions to established work hours.

Committee on Business and  
Labor Relations.

By Senator Bennett:

S. 149. To provide that support shall be ordered paid directly to the Department of Pensions and Security or its designee in cases which come within the requirements of Title IV-D of the Social Security Act, as amended; provides for the distribution of monies collected; provides for notice to the court of the location and address where monies shall be received; provides

for contracting with a designated party; provides that the record of collections shall constitute the official payment record, and shall be prima facie evidence of the payment made by the obligor.

Committee on Student and  
Youth Activities.

By Senator Smith (J):

S. 150. To provide that a convicted felon shall serve his sentence in a state penal facility unless the sentencing judge directs that such sentence is to be served in a county jail; to provide for certain conditions and requirements in the event a convicted felon or state inmate shall be assigned to a county jail to serve a portion of a sentence; and to provide for exceptions.

Committee on Judiciary.

By Senator Smith (J):

S. 151. To amend Section 36-30-2 of the Code of Alabama 1975, relating to compensation for death of peace officers, firemen and volunteer firemen, so as to provide further for compensation for certain disabled volunteer firemen and to provide for retroactive effect to November 1, 1983.

Committee on Finance and Taxation.

By Senator Hilliard:

S. 152. To amend Section 11-81-11 of the Code of Alabama 1975, to provide that the sale of county and municipal bonds may be by negotiated sale if the governing body of the county or municipality shall determine that such sale is desirable to gain the lowest net interest cost.

Committee on Finance and Taxation.

By Senator Hilliard:

S. 153. To provide for the authorization by the county governing body and the creation in any county or counties in Alabama of a public corporation for the purposes of flood control in circumstances affecting urban areas of any one or more counties in Alabama to be known as the (name of county) Flood Control Authority with its principal office to be located in the county seat of such county; to provide for a board of directors, prescribe the method of their appointment, and the powers and duties of such Authority, including the employment of personnel, attorneys, architects, engineers, consultants and agents; to authorize the State of Alabama, and counties and municipalities therein, to contract with and to appropriate funds to such Authority and to issue general obligation or revenue bonds or warrants to finance projects contracted for; to provide that the debts and obligations of such Authority shall not be debts of the state, county or any municipality therein; to exempt the Authority and its property from state, county, and municipal taxation; to authorize state, county and municipal appropriations to such Authority; to authorize such Authority to receive federal, state, local government and private grants and authorize counties and municipal governments to contract with the Authority for projects and to finance the same with public funds; to make the provisions hereof severable; and, to establish an effective date of the Act.

Committee on Agriculture,  
Conservation, and Forestry.



By Senators Strong, Bedsole, Langford, Ellis, Drinkard, and Goodwin:

S. 154. To create the Alabama Turkey Hunters Hall of Fame Board and Museum; to prescribe its purposes, membership and location; to provide for the appointment of its members and for the holding of meetings.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Hilliard:

S. 155. To authorize municipalities having a population of more than 250,000 in said county according to the last federal decennial census, in the discretion of its governing body, upon the purchase of real property situated in Jefferson County by the municipality for park or other public purposes, to indemnify the seller of such property with respect to liability which might thereafter arise on account of underground mining operations conducted on or under said property prior to the sale thereof to such municipality.

Committee on Local Legislation No. 2.

The above Bill was read a first time at length as required by the Constitution.

By Senator Hilliard:

S. 156. To authorize the incorporation of a public corporation to be known as the Alabama Civil Rights Institute to be located permanently in any Class I municipality, based on population according to the last federal decennial census designated by the Legislature of Alabama and the classes of municipalities created thereby pursuant to Section 110 of the Constitution of Alabama, as amended, including the City of Birmingham, Alabama, provided such be a Class I municipality at the time of the adoption hereof; to define its purposes; to provide a Board of Trustees of said Institute composed of some trustees who serve ex officio, and who may appoint alternates to serve in their stead as provided in the act, and trustees appointed by certain public officials and to define the terms of all such trustees; to provide for suits by and against the Institute in the corporate name; to provide that neither the state, the counties thereof nor any municipality therein, shall be liable for the debts or actions of the Institute and that trustees thereof shall not be personally liable for actions of the Institute or their actions as trustees, save to the Institute itself; to provide for incorporation procedures and issuance of certificate of incorporation by the Secretary of State and the contents thereof; to provide for officers of the trustees, meetings thereof, and their compensation and reimbursement of expenses; to provide for the powers of the trustees including the power to acquire title to real and personal property or to lease the same, and to sell, lease or dispose of property surplus to its needs or to provide funds for carrying out its purposes; to provide to the Institute such other powers as may be appropriate or necessary to carry out its purposes; to authorize the Institute to solicit and accept donations of funds or property from private sources, to make such gifts and donations and all income and property of the Institute tax exempt and deductible on state income tax returns, and to require trustees to comply with laws and regulations to make such deductible for federal income tax purposes; to authorize the state, its counties and municipalities therein to appropriate funds to the Institute; to authorize the Institute to contract and make cooperative agreements with federal, state and local governments and agencies thereof, and with private or public corporations, associations or individuals for any purpose of the Institute; to authorize the Institute to hire, or contract

for, services of persons to perform certain tasks under such rules and regulations as the trustees may adopt; to require the Institute to make annual reports to the Governor, the presiding officers of the Legislature and other officials and persons; to make the provisions of the Act severable; to repeal laws in conflict herewith; and to provide the effective date of the Act.

Committee on Local Legislation No. 2.

By Senators deGraffenried and Bailey:

S. 157. To amend section 12-15-61, Code of Alabama, 1975, relating to certain facilities used for detention and shelter care of children so as to provide further for such detention and shelter care to provide for subsidy by the state of certain costs thereof.

Committee on Student and  
Youth Activities.

By Senators Denton, Bishop, Aldridge, Teague, Parsons, Foshee, Covington, Strong, Amari, Ellis, Corbett, Menton, and Bennett:

S. 158. To create the County Government Capital Improvement Fund; to make certain annual appropriations to such fund from the General Fund of the State based upon the amounts of income from the investment of certain moneys derived by the State from the leasing of rights in and royalty payments from offshore oil, gas and other hydrocarbon minerals; to provide for the distribution of such appropriations among county governments; and to provide for the uses to which such moneys shall be put.

Committee on Finance and Taxation.

By Senators Strong, Drinkard, and Bishop:

S. 159. To allow divorced spouses to petition the court to receive a portion of their former spouses' military retirement pay even though the original decree did not grant any alimony, and to bring Alabama into conformity with the provisions of the "Uniformed Services Former Spouses' Protection Act."

Committee on Judiciary.

By Senator Ellis:

S. 160. To provide a comprehensive system of law applicable to all counties in this state defining the powers of any such counties to construct improvements or reimprovements consisting of streets or any portions thereof, sanitary sewers and sewer systems and water and gas mains and service connections, drainage improvements or drainage systems and the filling in of swamps or inundated or overflowed or submerged lands, ornamental lighting systems or white way systems of lighting and the construction, acquisition, improvement and extension of seawalls, dikes, levees and embankments in such counties; to provide a method for the assessment of the cost of any such improvement against the property abutting on, or drained, served, or benefited by such improvement; to require the adoption of a resolution describing the improvement and the property abutting on, or the area to be drained, served or benefited by such improvement; to require the filing of plans and specifications for such improvement; to provide for publication and mailing of notice of the adoption of the said resolution; to provide for a public hearing on such improvement; to provide for payment of the cost of the improvement; to provide for the establishment of the grade of certain streets, avenues, alleys or sidewalks to be improved; to provide for public

advertisement for bids for the construction of the improvement unless the county shall perform the work or provide materials from its own resources; to provide that the county commission must accept or reject work on the part of the county; to provide for supervision of the work; to provide for the levy of assessments on the property benefited by any improvement; to provide for the assessment against lands purchased by the state; to provide the manner of assessments generally; to provide for improvements of intersections of streets, avenues or other highways; to provide for sidewalk improvements; to provide for the assessment of costs of improvements against railroads; to provide for the preparation of a list of owners and parcels to be assessed, and publication of notice of such list; to provide for the entry of list in assessment book for local improvements; to provide for the delivery of assessment book to county clerk and the publication of notice as to delivery and inspection of book; to provide for notice of hearing upon objection; to provide for the contents of notice as to assessments for improvements; to provide for any defects or errors therein; to provide for the filing of written objections to assessments by property owners; to provide for a hearing on the proposed assessments and making the same final; to provide for the powers of commission as to subpoena of witnesses; to provide for the establishment of a lien on the property subject to the assessments and for the priority thereof; to provide for the reduction or abatement of certain assessments; to provide for procedures with respect to erroneous assessments and assessments in excess of benefits derived; to authorize the transfer and assignment of such liens, and for the enforcement thereof; to specify other provisions with respect to such liens; to provide for the effect of enforcement of tax liens upon property upon assessment liens and the duration of assessment liens; to provide for the effect of sale of property for enforcement of assessment lien upon other assessment liens upon the same property; to provide a system for appeals from the making of such final assessment; to provide for bond on appeal; to provide for entry on trial docket of appeal; to provide for the transcript for appeal; to provide for prima facie evidence on appeal; to provide for the conduct of appeal, right of jury trial and the entry of judgment and assessment of costs generally; to provide for the entry of judgment for amounts properly chargeable against lands where the assessment is defective; to provide for appeals for the judgment of the circuit court by the property owners; to provide for such appeals generally; to provide for the addition of interest and damage upon affirmance of judgment for county; to provide that the county may appeal the many judgments of the circuit court without giving bond; to provide for the issuance of execution and order of sale upon entry of final judgment in favor of county; to provide a system for payment of all such assessments and for default in such payments; to provide for proceedings for sale of land upon failure of owner to pay assessment; to provide for the payment of assessments prior to sale; to provide that costs of notice and sale are to be charged against land; to provide for the execution of deed to purchaser at sale; to provide for the effect of error and defect of notice of sale; to provide for the redemption of property after sale generally; to provide for the extension of redemption period; to provide for the application for entry of certificate of warning to redeem upon record of local improvement assessment sale deed; to provide for the mailing of copies of deed and certificate to persons last assessed upon property described in deed by probate judge; to provide for the redemption of property during extended redemption period; to provide for the performance of duties of the probate judge; to provide for the applicability of provisions of Sections 54 through 58 of this Act; to provide for the making of temporary loans or issuance of bonds during progress of work to pay for cost of improvement; to provide for the issuance of bonds

after completion of work; to provide for the applicability of provisions of law as to issuance of county bonds generally; to provide for the issuance of bonds generally; to provide for the maturity and payments of such bonds; to provide for the disposition of proceeds from sale of bonds; to provide for the grouping of improvements for the issuance of bonds; to provide for the maintenance and disposition of sinking fund accounts for bond issues; to provide for the bond of the officer charged with the collection of assessments; to provide for the redemption of bonds; to provide for the refunding of excess assessments; to provide a limitation period for presentation of claims and disposition of amounts not refunded; to provide for the settlement, adjustment or refunding of bonds; to provide for the sale or issuance to custodian of the special fund of refunding bonds; to provide for the consolidation of separate outstanding issues or issuance of refunding bonds; to provide for the maintenance and disposition of sinking fund accounts for refunding bond issues; to grant to any such county the right of eminent domain with respect to improvements; to provide that this Act shall not affect the powers of counties to compel property owners to repair sidewalks; to provide for apportionment of assessments against property for public improvements among joint owners thereof; to provide for a petition of tenant in common for division of assessment among joint owners of property; to provide for a division of assessment among the tenants in common; to provide for a notice to property owners of division of assessment; to provide for appeals from division of assessment; to provide for correction of description of ownership of property and reduction of assessment; to provide for the effect of reduction upon assessment lien; for the effect of annexation and incorporation of an area in which assessments have been made; to provide for severability of the provisions of this Act and for the repeal of inconsistent laws and to establish the effective date of this Act.

Committee on Governmental Affairs.

By Senator Ellis:

S. 161. Proposing an amendment to the Constitution of Alabama to provide that no bond, warrant or any other obligation of any county shall be considered a bond for the purposes of Section 222 of the Constitution of Alabama of 1901, as amended, nor shall any bond, warrant or any other obligation of any county be included in the indebtedness of such county within the meaning of any provision of Section 224 of the Constitution of Alabama of 1901, as amended, if any such bond, warrant or other obligation is issued to provide, improve or repair any public facilities or improvements (including, without limitation, roads, streets, sidewalks, sanitary and storm water sewers, sewage treatment facilities, flood control facilities, seawalls, and lighting systems) specially benefiting, to any degree, one or more tracts or parcels of property if the cost of such public facilities or improvements is to be assessed, in whole or in part, against such property.

Committee on Finance and Taxation.

The above Bill was read a first time at length as required by the Constitution.

By Senator deGraffenried:

S. 162. To amend Section 12-17-224, Code of Alabama 1975, which provides for the establishment of the Special Services Division of the District Attorney's Office of each Judicial Circuit, so as to provide further for the

fees collected pursuant to the provisions of the unit and to further define the term "restitution".

Committee on Judiciary.

By Senator Foshee:

S. 163. To provide subsistence allowance for police communication officers employed by the Department of Public Safety while on duty and to authorize expenditure of funds for that purpose.

Committee on Finance and Taxation.

By Senator Foshee:

S. 164. To amend Section 9-13-63, Code of Alabama 1975, which provides for the maintaining of records of purchases of manufactured forest products, so as to increase the penalty for failure to maintain such records.

Committee on Industrial Expansion,  
Economic Growth, and Jobs.

By Senator Foshee:

S. 165. To amend Section 30-1-7, Code of Alabama 1975, which provides for persons authorized to solemnize marriages, so as to include former judges of probate.

Committee on Consumer Affairs.

By Senator Teague:

S. 166. Relating to crimes and offenses; making it a certain felony for a person to wear or otherwise utilize body armor in the commission of and flight from commission of a felonious offense and prescribing penalty for such violations.

Committee on Judiciary.

By Senator Teague:

S. 167. To propose and provide for the submission of an amendment to the Constitution of Alabama of 1901, as amended; providing that no law whose purpose or effect is to provide for a new or increased expenditure of county funds held or disbursed by the county governing body shall become effective as to any county of this state until the first day of the fiscal year next following the passage of such law unless such law is approved by a resolution duly adopted by and spread upon the minutes of the county governing body of the county affected thereby, or such law (or other law or laws which specifically refer to such law) provides the respective county governing bodies with new or additional revenues sufficient to fund such new or increased expenditures; providing for an election thereon; and prescribing an effective date for the proposed amendment.

Committee on Constitutional Revision.

The above Bill was read a first time at length as required by the Constitution.

By Senators Bennett, Goodwin, Bedford, Mitchem, Horn, Denton, Ellis, Amari, Teague, Hilliard, Parsons, Bishop, Cabaniss, Drinkard, Foshee, deGraffenried, Little, Dixon, Langford, Bedsole, and Menton:

S. 168. To provide a supplemental appropriation of \$2,500,000 to the Department of Pensions and Security from the State General Fund for FY 1985-86 and to provide a conditional appropriation of \$6,750,000 to the Department of Pensions and Security from the State General Fund for FY 1985-86 to pay awards made by the Board of Adjustment due to the default of payments to state agencies by the Department of Pensions and Security in FY 1984-85.

Committee on Finance and Taxation.

By Senators Holmes, Teague, Cooley, Mitchem, Bennett, Denton, Foshee, Drinkard, Amari, Dial, Aldridge, Hand, Dixon, deGraffenried, Covington, Corbett, Menton, Strong, Langford, Bedsole, Smith (J), Goodwin, and Bedford:

S. 169. To provide for criminal penalties and civil liability for the theft of certain cable television services, and to provide for the confiscation of certain equipment used in the theft of any such cable television services.

Committee on Small Business.

By Senators Parsons, Corbett, Drinkard, Strong, Holmes, Goodwin, Little, Denton, Amari, Langford, Bedford, Bennett, Hilliard, Menton, deGraffenried, Bishop, Horn, Teague, Foshee, and Ellis:

S. 170. To require all state entities and political sub-divisions thereof to purchase American made goods and to provide that contracts in violation are void.

Committee on Business and  
Labor Relations.

## RESOLUTIONS

Senators Dixon, Langford, Mitchem, Bedsole, deGraffenried, and Ellis offered the following Senate Joint Resolution, to-wit:

S. J. R. 3. INVITING DR. ALBERT B. SABIN AS THE DEVELOPER OF THE ORAL POLIO VACCINE TO ADDRESS A JOINT SESSION OF THE ALABAMA LEGISLATURE.

WHEREAS, poliomyelitis existed untreated in the world as a major threat to human health resulting in many deaths and untold cases of permanent paralysis; and

WHEREAS, researchers worked many years to develop a vaccine to prevent its existence; and

WHEREAS, Dr. Albert B. Sabin, through extensive research developed an oral vaccine which received worldwide preliminary trials; and

WHEREAS, in nineteen hundred and sixty the oral polio vaccine developed by Dr. Sabin was first used in Europe and late in nineteen hundred and sixty was approved for use in the United States of America; and

WHEREAS, in nineteen hundred and sixty-two through nineteen hundred and sixty-four approximately one hundred million Americans of all ages

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received the vaccine including over two million Alabamians in nineteen hundred and sixty-three, the first year the vaccine was available in Alabama; and

WHEREAS, Alabama, along with the rest of the world, experienced a reduction in the incidence of this dreaded disease; and

WHEREAS, the vaccine developed by Dr. Sabin has prevented an estimated five million cases of paralytic polio; and

WHEREAS, Dr. Sabin has received over thirty honorary degrees and is a recipient of numerous awards, including the United States National Medal of Science, presented to him by the President of the United States, in nineteen hundred and seventy-one; now, therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we herein extend a most cordial invitation to Dr. Albert B. Sabin, developer of the oral polio vaccine, to address the Alabama Legislature on Thursday, March twenty-seventh, nineteen hundred and eighty-six, at 12:00 noon at which time the Legislature shall convene in joint session.

BE IT FURTHER RESOLVED, That the Secretary of the Senate is directed to forward a copy of this resolution to Dr. Sabin in hopeful anticipation of his acceptance.

On motion of Senator Dixon, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Dixon offered the following Senate Resolution, to-wit:

S. R. 4. COMMENDING CARLOS D. GODINEZ, M.D. FOR OUTSTANDING PROFESSIONAL ACHIEVEMENT.

Which was adopted.

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 5. COMMENDING MR. BENNIE B. LOVELL.

Also:

S. R. 6. COMMENDING ROBERT E. MORRIS, PROMINENT BIRMINGHAM PHYSICIAN.

Which were adopted.

**COMMUNICATION FROM  
DEPARTMENT OF ARCHIVES AND HISTORY**

January 13, 1986

Honorable McDowell Lee  
Secretary of the Senate  
Senate Chamber  
State Capitol Building  
Montgomery, Alabama 36130

Dear Mr. Lee,

The Trustees of the Alabama Department of Archives and History have re-elected the member of the Board for a new six year term ending in 1990.

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In accordance with the Alabama law (Code 41-6-4), we are communicating the results of this election to you so that the member, Harvey J. Wright from the 4th District, may be confirmed by the Senate.

Please let us know if you need any additional information. We will appreciate your help in bringing the result of this election before the Senate at the upcoming Regular Session.

Thank you for your assistance and best wishes to you.

Sincerely,

EDWIN C. BRIDGES,  
Director.

**COMMUNICATION RECEIVED**

The foregoing Communication from the Department of Archives and History, relative to an appointment to the Board of Trustees from the 4th District, was read and referred to the Standing Committee on Rules.

**COMMUNICATION FROM  
DEPARTMENT OF ARCHIVES AND HISTORY**

January 13, 1986

Honorable McDowell Lee  
Secretary of the Senate  
Senate Chamber  
State Capitol Building  
Montgomery, Alabama 36130

Dear Mr. Lee,

The Trustees of the Alabama Department of Archives and History have re-elected the member of the Board for a new six year term ending in 1990. In accordance with the Alabama law (Code 41-6-4), we are communicating the results of this election to you so that the member, William Mitchell from the 5th District, may be confirmed by the Senate.

Please let us know if you need any additional information. We will appreciate your help in bringing the result of this election before the Senate at the upcoming Regular Session.

Thank you for your assistance and best wishes to you.

Sincerely,

EDWIN C. BRIDGES,  
Director.

**COMMUNICATION RECEIVED**

The foregoing Communication from the Department of Archives and History, relative to an appointment to the Board of Trustees from the 5th District, was read and referred to the Standing Committee on Rules.



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COMMUNICATION FROM  
DEPARTMENT OF ARCHIVES AND HISTORY

January 13, 1986

Honorable McDowell Lee  
Secretary of the Senate  
Senate Chamber  
State Capitol Building  
Montgomery, Alabama 36130

Dear Mr. Lee,

The Trustees of the Alabama Department of Archives and History have re-elected the member of the Board for a new six year term ending in 1990. In accordance with the Alabama law (Code 41-6-4), we are communicating the results of this election to you so that the member, James Simpson from the 6th District, may be confirmed by the Senate.

Please let us know if you need any additional information. We will appreciate your help in bringing the result of this election before the Senate at the upcoming Regular Session.

Thank you for your assistance and best wishes to you.

Sincerely,  
EDWIN C. BRIDGES,  
Director.

COMMUNICATION RECEIVED

The foregoing Communication from the Department of Archives and History, relative to an appointment to the Board of Trustees from the 6th District, was read and referred to the Standing Committee on Rules.

COMMUNICATION FROM THE STATE SUPERINTENDENT  
OF EDUCATION

January 10, 1986

The Alabama State Senate  
State Capitol  
Montgomery, Alabama

Gentlemen:

In compliance with Amendment 399 of the Constitution of Alabama, I hereby certify to the Senate of Alabama that the following person has been elected as a member of The University of Alabama Board of Trustees by the members of said Board, in the manner prescribed by the Constitution, on September 10, 1983, December 3, 1983, or November 15, 1984:

<u>Name</u>	<u>Address</u>	<u>District</u>	<u>Expiration of Term</u>
O. H. Delchamps	Mobile, Alabama	First	1988

Respectfully submitted,

WAYNE TEAGUE,  
State Superintendent of Education.

Sworn to and subscribed  
before me on this 10th  
day of January, 1986.

Joyce B. Cobb  
Notary Public

### COMMUNICATION RECEIVED

The foregoing Communication from the Superintendent of Education, relative to an election to the Board of Trustees of the University of Alabama, was read and referred to the Standing Committee on Rules.

### COMMUNICATION FROM THE STATE SUPERINTENDENT OF EDUCATION

January 10, 1986

The Alabama State Senate  
State Capitol  
Montgomery, Alabama

Gentlemen:

In compliance with Amendment 399 of the Constitution of Alabama, I hereby certify to the Senate of Alabama that the following person has been elected as a member of The University of Alabama Board of Trustees by the members of said Board, in the manner prescribed by the Constitution, on September 10, 1983, December 3, 1983, or November 15, 1984:

<u>Name</u>	<u>Address</u>	<u>District</u>	<u>Expiration of Term</u>
Winton M. Blount	Montgomery, Alabama	Second	1989

Respectfully submitted,

WAYNE TEAGUE,  
State Superintendent of Education.

Sworn to and subscribed  
before me on this 10th  
day of January, 1986.

Joyce B. Cobb  
Notary Public

### COMMUNICATION RECEIVED

The foregoing Communication from the Superintendent of Education, relative to an election to the Board of Trustees of the University of Alabama, was read and referred to the Standing Committee on Rules.

### COMMUNICATION FROM THE STATE SUPERINTENDENT OF EDUCATION

January 10, 1986

The Alabama State Senate  
State Capitol  
Montgomery, Alabama

Gentlemen:

In compliance with Amendment 399 of the Constitution of Alabama, I hereby certify to the Senate of Alabama that the following person has been

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elected as a member of The University of Alabama Board of Trustees by the members of said Board, in the manner prescribed by the Constitution, on September 10, 1983, December 3, 1983, or November 15, 1984:

<u>Name</u>	<u>Address</u>	<u>District</u>	<u>Expiration of Term</u>
Yetta G. Samford, Jr.	Opelika, Alabama	Third	1990

Respectfully submitted,

WAYNE TEAGUE,  
State Superintendent of Education.

Sworn to and subscribed  
before me on this 10th  
day of January, 1986.

Joyce B. Cobb  
Notary Public

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OF EDUCATION**

January 10, 1986

The Alabama State Senate  
State Capitol  
Montgomery, Alabama

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<u>Name</u>	<u>Address</u>	<u>District</u>	<u>Expiration of Term</u>
Cleophus Thomas, Jr.	Anniston, Alabama	Third	1987

Respectfully submitted,

WAYNE TEAGUE,  
State Superintendent of Education.

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Joyce B. Cobb  
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The Alabama State Senate  
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Montgomery, Alabama

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<u>Name</u>	<u>Address</u>	<u>District</u>	<u>Expiration of Term</u>
John T. Oliver, Jr.	Jasper, Alabama	Fourth	1989

Respectfully submitted,

WAYNE TEAGUE,  
State Superintendent of Education.

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Joyce B. Cobb  
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<u>Name</u>	<u>Address</u>	<u>District</u>	<u>Expiration of Term</u>
William H. Mitchell	Florence, Alabama	Fifth	1990

Respectfully submitted,

WAYNE TEAGUE,  
State Superintendent of Education.

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1st Day

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Sworn to and subscribed  
before me on this 10th  
day of January, 1986.

Joyce B. Cobb  
Notary Public

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OF EDUCATION**

January 10, 1986

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State Capitol  
Montgomery, Alabama

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<u>Name</u>	<u>Address</u>	<u>District</u>	<u>Expiration of Term</u>
Frank H. Bromberg, Jr.	Birmingham, Alabama	Sixth	1986

Respectfully submitted,

WAYNE TEAGUE,  
State Superintendent of Education.

Sworn to and subscribed  
before me on this 10th  
day of January, 1986.

Joyce B. Cobb  
Notary Public

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**COMMUNICATION FROM THE STATE SUPERINTENDENT  
OF EDUCATION**

January 10, 1986

The Alabama State Senate  
State Capitol  
Montgomery, Alabama

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JOURNAL OF THE SENATE, 1986  
1st Day

elected as a member of The University of Alabama Board of Trustees by the members of said Board, in the manner prescribed by the Constitution, on September 10, 1983, December 3, 1983, or November 15, 1984:

<u>Name</u>	<u>Address</u>	<u>District</u>	<u>Expiration of Term</u>
Thomas E. Rast	Birmingham, Alabama	Sixth	1989

Respectfully submitted,

WAYNE TEAGUE,  
State Superintendent of Education.

Sworn to and subscribed  
before me on this 10th  
day of January, 1986.

Joyce B. Cobb  
Notary Public

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**COMMUNICATION FROM THE STATE SUPERINTENDENT  
OF EDUCATION**

January 10, 1986

The Alabama State Senate  
State Capitol  
Montgomery, Alabama

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<u>Name</u>	<u>Address</u>	<u>District</u>	<u>Expiration of Term</u>
Sandral Hullett	Eutaw, Alabama	Seventh	1989

Respectfully submitted,

WAYNE TEAGUE,  
State Superintendent of Education.

Sworn to and subscribed  
before me on this 10th  
day of January, 1986.

Joyce B. Cobb  
Notary Public

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**JOINT SESSION**

At 6:25 P.M., in accordance with H. J. R. 3, the Senate repaired to the Hall of the House of Representatives for the purpose of hearing the Message of His Excellency, the Governor, the Honorable George C. Wallace.

The Session was called to order by Lieutenant Governor Baxley, President and Presiding Officer of the Senate. A quorum of the Legislature was present.

Thereupon, the Honorable George C. Wallace was escorted to the chair and delivered his address to the Legislature of Alabama.

**ADJOURNMENT**

The purpose of the Joint Session having been accomplished and in accordance with motion heretofore adopted, at 7 o'clock P.M., the Senate adjourned until Thursday, January 16, 1986, at 10 o'clock A.M.

**SECOND LEGISLATIVE DAY**  
**THURSDAY, JANUARY 16, 1986**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

**PRAYER**

The Session was opened with prayer by Mr. Brian Jacobs, Evangelist, Talladega, Alabama.

**PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Glenda Skinner and Robyn South, Demopolis High School, Demopolis, Alabama.

**ROLL CALL**

Present:

Senators:	Cabaniss	Figures	Menton
Aldridge	Cooley	Foshee	Mitchem
Amari	Corbett	Goodwin	Parsons
Bailey	Covington	Hand	Sanders
Barron	deGraffenried	Hilliard	Smith (B)
Bedford	Denton	Holmes	Smith (J)
Bedsole	Dial	Horn	Strong
Bennett	Dixon	Langford	Teague
Bishop	Ellis	Little	

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**JOURNAL**

On motion of Senator Teague, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the First Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

**COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the First Legislative Day was approved by the Senate.

**LEAVE OF ABSENCE**

On motion of Senator Teague, leave of absence was granted Senator Drinkard for today.



**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 2. COMMITTEE APPOINTED TO NOTIFY GOVERNOR LEGISLATURE IS IN SESSION.

Also:

H. J. R. 3. RELATIVE TO A JOINT SESSION FOR THE PURPOSE OF HEARING THE MESSAGE OF THE HONORABLE GEORGE C. WALLACE.

Also:

H. J. R. 4. RELATIVE TO MEETING DAYS.

Also:

H. J. R. 6. CONGRATULATING MR. AND MRS. JESSE CLYDE JACKSON ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF RESOLUTIONS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

**INTRODUCTION OF BILLS**

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Menton:

S. 171. To amend Sections 16-11-2, and 16-11-3, Code of Alabama, 1975, so as to require the popular election of all members of all city boards of education in single member districts; to establish a residency requirement; to provide for the appointment of board districts; to provide for the compensation of board members; to provide for terms of office, vacancies, and dates of elections; and to repeal conflicting provisions.

Committee on Buildings and Grounds.

By Senator Menton:

S. 172. To require insurance companies which sell medical liability insurance in this state to report to the appropriate state licensing agencies any judgment or settlement resulting from a claim for personal injuries caused by an error, omission or negligence in the performance of professional services; to provide for the form and content of the report made by the insurance

company; to provide for the confidentiality of all reports required by this provision and all findings and records made by the licensing board thereon; to provide penalties for failure to make required reports; to provide for the severability of the provisions of this act; to provide for the repeal of all laws in conflict with this act; and to provide an effective date for this Act.

Committee on Banking and Insurance.

By Senator Foshee:

S. 173. To establish the fiscal year, only for purposes of state appropriations, for each and every public education entity or public institution, whether state, county or municipal, including but not limited to each city and county school board of education, K through 12 public schools, technical and trade schools and institutions and two-year colleges, state colleges and universities and any other public institution of higher education; to authorize the appropriate public officers to make the necessary accounting procedures and to establish regulations therefor; to repeal conflicting laws only to the extent there is a direct conflict herewith.

Committee on Education.

By Senators Foshee and Covington:

S. 174. To amend Section 3 of Act No. 83-69, H. 5, 1983 First Extraordinary Session of the Alabama Legislature relating to the establishment of the position of the Commissioner of the Department of Corrections as a state merit position.

Committee on Governmental Affairs.

By Senators Cabaniss and Bennett (With Notice and Proof):

S. 175. To amend Section 1 of Act No. 82-88 of the Regular Session of the Legislature of Alabama of 1982 (Alabama Acts, 1982, pp 112-113) relating to Jefferson County to provide for the composition of any county planning commission established under Act No. 344, H. 775, 1947 Regular Session or Act No. 581, H. 1012, 1947 Regular Session; and to provide for the division of the county into districts, and to provide for the appointment of the members from said districts.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 175, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Aldridge:

S. 176. To amend §32-5A-191, Code of Alabama 1975, which relates to the offense of driving under the influence of alcohol or controlled substances (DUI) and the penalties therefor, so as to require all persons convicted of violating said §32-5A-191 or a municipal ordinance prohibiting operation or actual physical control of a vehicle while under the influence of alcohol or controlled substances, to attend and complete a DUI court referral program certified or approved by the State Administrative Office of Courts; and to provide that completion of such program shall be in addition to the punishments and sanctions now provided by §32-5A-191, Code of Alabama 1975.

Committee on Judiciary.

By Senator Aldridge:

S. 177. To amend Sections 12-15-1, 12-15-30(2) and 12-15-33(b), Code of Alabama 1975, so as to exclude from the definition of delinquent act any conservation offense committed by a child 16 years of age or older; to provide that the district court may transfer such proceedings to the juvenile court for adjudication as an act of delinquency; and, to provide the juvenile courts with original jurisdiction if such cases are transferred to them by the district court.

Committee on Judiciary.

By Senator Menton:

S. 178. To amend §34-24-361 Code of Alabama, 1975, to provide that complaints before the Medical Licensure Commission and the Board of Medical Examiners and testimony with respect thereto are absolutely privileged and to grant immunity from suit to the Board of Medical Examiners and the Medical Licensure Commission.

Committee on Health and Welfare.

By Senator Menton:

S. 179. To amend §34-24-360(15) to authorize the Medical Licensure Commission to suspend or revoke a license to practice medicine or osteopathy when another State licensing board takes disciplinary action against a physician; to provide for the severability of the provisions of this Act; to provide for the repeal of all laws in conflict with this Act; and to provide an effective date for this Act.

Committee on Health and Welfare.

By Senator Menton:

S. 180. To provide circumstances when a person shall be guilty of committing the crime of submitting a false or fraudulent application for a certificate of qualification or license to practice medicine; to provide that any person guilty of the crime of submitting a false or fraudulent application shall be guilty of a Class C felony; to provide for the severability of the provisions of this Act; to provide for the repeal of all laws in conflict with this Act; and to provide an effective date for this Act.

Committee on Judiciary.

By Senator Menton:

S. 181. Relating to the Board of Medical Examiners and the Medical Licensure Commission to authorize the Board of Medical Examiners in its capacity as a certifying board to assess administrative fines not to exceed \$1500.00 for each violation of the provisions of §20-2-54 or the rules and regulations of the Board; and further to authorize the Medical Licensure Commission to assess administrative fines not to exceed \$2500.00 for violations of §34-24-360 or the rules and regulations of the Commission; and further to provide that a portion of these fines shall be paid to the Board and deposited in a segregated account designated The Alabama Physicians Education Fund; and further to authorize at the discretion of the Board of Medical Examiners the expenditure of funds in The Alabama Physicians Education Fund only for the education, rehabilitation or treatment of physicians licensed to practice medicine in Alabama who are impaired by reason

of mental or emotional illness or addiction to alcohol or drugs or for programs of continuing medical education; and further to provide that the Board is authorized to contract for programs, services, and materials without regard to the competitive bid laws for expenditures made from The Alabama Physicians Education Fund; and further to provide that the Medical Licensure Commission shall not renew the annual certificate of registration of any physician against whom an administrative fine has been assessed until the fine is paid in full; to provide for the severability of the provisions of this Act; to provide for the repeal of all laws in conflict with this Act; and to provide an effective date for this Act.

Committee on Health and Welfare.

By Senator deGraffenried:

S. 182. To amend Section 6-2-38, Code of Alabama 1975, which Section relates to the time for commencement of certain civil actions, so as to provide a two-year statute of limitation on all actions commenced pursuant to 42 U.S.C. § 1983 to recover damages for the deprivation under color of any statute, ordinance, regulation, custom or usage of any rights, privileges or immunities secured by the Constitution and laws of the United States.

Committee on Judiciary.

By Senator Menton:

S. 183. Relating to the liability of physicians and osteopaths serving on hospital committees; to state the legislative intent; to provide definitions for the term hospital, physician, hospital medical staff, and committee; to provide that any physician, osteopath or other health care provider serving on any committee of a hospital medical staff and any consultant, attorney, auxiliary personnel or employee of such committee shall not be liable to any person for any damages arising from any claim whatsoever related to or arising out of any action, investigation, report or recommendations made or taken by such committee when such action, investigation, report or recommendation was taken or made by him within the scope of his function as a member of the committee without malice and in good faith in the reasonable belief that such action, investigation, report or recommendation was warranted by the facts known or reasonably established; to provide for the severability of the provisions of this Act; to provide for the repeal of all laws in conflict with this Act; and to provide an effective date for this Act.

Committee on Health and Welfare.

By Senators Strong, Corbett, Langford, and Teague:

S. 184. To require the Department of Pensions and Security to charge a \$1,000.00 (One Thousand Dollar) fee to be assessed as costs against the parties for investigation services performed in any cases involving adoption. This fee shall not apply to investigation services for cases in which a child was placed for adoption by the Department of Pensions and Security.

Committee on Governmental Affairs.

By Senator Hand (With Notice and Proof):

S. 185. Relating to Baldwin County; to alter, rearrange and extend the boundary lines and corporate limits of the municipality of Gulf Shores, in Baldwin County; to provide for a referendum election of the qualified electors

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who reside within the territory proposed to be brought within the municipal limits of Gulf Shores.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 185, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Dial:

S. 186. To amend Section 36-26-15 of the Code of Alabama 1975 relating to the state merit system so as to further provide for the military preference during the lay-off of employees in the classified service, and to further define veterans' credit in state service.

Committee on Governmental Affairs.

By Senator Aldridge:

S. 187. To amend Section 12-17-290 so as to provide that a break in service as an official court reporter for the State of Alabama will not affect the reporter's eligibility for attaining supernumerary status, to provide that supernumerary court reporter commissions shall be issued by the Secretary of State rather than the Chief Justice, and to reduce the number of years for qualification as a supernumerary reporter regardless of age from twenty-four to twenty years.

Committee on Judiciary.

By Senator Parsons:

S. 188. To exempt certain persons who are transient vendors or peddlers of produce and sixty-five years of age and older from paying any municipal privilege or license tax whatsoever.

Committee on Finance and Taxation.

By Senator Parsons:

S. 189. Relating to public utilities; prescribing certain requirements for telephone operator assisting the placement of collect intrastate telephone calls being placed from state prison facilities.

Committee on Commerce,  
Transportation, and Utilities.

By Senators Bishop, Hand, Bennett, Mitchem, Cabaniss, Ellis, Smith (J), Parsons, Teague, Denton, Menton, Smith (B), deGraffenried, Barron, Aldridge, and Dixon:

S. 190. To amend Sections 36-25-1, 36-25-2, 36-25-4, 36-25-5, 36-25-6, 36-25-7, 36-25-9, 36-25-10, 36-25-12, 36-25-13, 36-25-14, 36-25-15, 36-25-18, and 36-25-27, Code of Alabama, so as to delete the definition of "legislative employee," add definitions of "statement of economic interests," "thing of value," "conflict of interests," and "principal," redefine "public employee," "public officials," "public officials's family," "public employee's family," and "lobbyists;" to provide further for the filing of a statement of economic interests by certain public officials to include additional information regarding

financial disclosure by certain public officials, public employees and candidates for public office; to provide for the notification of candidacy of certain public officials, to remove the prohibition against investigating anonymous complaints and certain other complaints; to prohibit legislators from representing clients for compensation before certain state agencies and departments; to prohibit public officials from representing the state, county or municipalities or instrumentalities thereof in their district; to add additional standards of conduct, to prohibit witnesses, complainants or informants from making public statements until an investigation is complete; to grant subpoena power to the commission; to prohibit certain officials and employees of regulatory agencies and certain public officials, employees and families from soliciting or accepting anything of value from certain persons or organizations; to establish a minimum penalty for violating the ethics law; to require lobbyists and principals to pay an annual registration fee, to change venue to the county in which the alleged violation occurred; to prohibit former public officials and employees from lobbying for two years or contracting for one year.

Committee on Judiciary.

By Senator Parsons:

S. 191. Relating to the regulation, registration and licensing of certain persons engaged in the business of buying gold or silver or gold or silver objects; providing for exemptions; and providing penalties for the violations.

Committee on Small Business.

By Senator Parsons:

S. 192. To amend Section 36-7-20 of the Code of Alabama 1975 so as to further provide that the per diem travel allowance for employees stationed at the same place in the state for a period in excess of two consecutive months shall be reduced to an amount equal to \$5.00 less than the regular per diem allowance fixed by the governor.

Committee on Governmental Affairs.

By Senator Parsons:

S. 193. To establish a policy for on-the-job injuries for educational personnel.

Committee on Education.

By Senators Mitchem, Covington, Cooley, Smith (J), Goodwin, and Bishop:

S. 194. To exempt certain income of former Prisoners of War from the imposition of state, county or municipal income taxation and to provide for an effective date.

Committee on Finance and Taxation.

By Senators Cabaniss, Hand, Bedsole, Ellis, Dixon, Mitchem, Dial, Drinkard, Bailey, Aldridge, Smith (J), Cooley, Teague, deGraffenried, Bedford, Little, and Covington:

S. 195. To amend Sections 36-25-1, 36-25-4, 36-25-6, 36-25-12, 36-25-14, 36-25-15, and 36-25-27, Code of Alabama 1975, so as to delete the definition of "legislative employee"; add the definition of "statement of economic interests," and "thing of value," redefine "public employee" and

"public officials and their families"; to provide further for the filing of statement of economic interests by public officials; to provide for an annual lobbyist fee; to provide for the notification of candidacy of certain public officials; to remove the prohibition against investigating anonymous complaints and certain other complaints; to prohibit witnesses, complainants or informants from making public statements until an investigation is complete; to grant subpoena power to the commission and to authorize it to employ an attorney; to prohibit certain officials and employees of regulatory agencies and certain public officials, employees and families from soliciting or accepting anything of value from certain persons or organizations; and to provide further for penalties for violations.

Committee on Judiciary.

By Senators Cabaniss, Hand, Bedsole, Ellis, Dixon, Mitchem, Dial, Drinkard, Aldridge, Bailey, Smith (J), Cooley, Teague, deGraffenried, Bedford, Little, and Covington:

S. 196. To amend Section 36-25-27, Code of Alabama 1975, which prescribes penalties for violations of the State Ethics Law, so as to establish the minimum possible penalty for violating the law at two years imprisonment or a minimum fine of \$2,001.00, or both.

Committee on Judiciary.

By Senator Teague:

S. 197. To provide further for the annual salary of the state treasurer, state auditor, and secretary of state of this state.

Committee on Governmental Affairs.

By Senator Teague:

S. 198. To require all state agencies not previously authorized by law to purchase workmen's compensation insurance to provide workmen's compensation insurance coverage for its employees; to provide that the department of finance will administer the program and shall be empowered to provide for the collection and coverage, in the same manner as other insurance funds and programs of the state for personal property and buildings; to provide that each state agency shall be responsible for such coverage on a pro rata basis from appropriations made to each agency.

Committee on Banking and Insurance.

By Senator Teague:

S. 199. To authorize municipalities whose corporate limits include territory lying in two or more counties of this State to annex any portion not exceeding two (2) acres in size of unincorporated territory which is enclosed within and surrounded by existing corporate limits of such municipalities provided such unincorporated territory has been so enclosed and surrounded for a period of three (3) years or more prior to annexation hereunder; and provided further, that no part of such territory to be annexed is public school property, and, provided further, that any portion of such unincorporated area to be annexed shall be limited to two (2) acres in size; to authorize exemption from municipal ad valorem taxes; and to prescribe procedures for the annexation of such territory.

Committee on Governmental Affairs.

By Senator Little:

S. 200. To provide that employees of the Alabama Film Commission shall be unclassified employees and to allow such employees to be covered as members of the state employees' retirement system and the state employees' health insurance plan, and to provide certain retroactive effect.

Committee on Governmental Affairs.

By Senator Covington:

S. 201. To provide additional remedies to the Interstate Compact on Juveniles by permitting a state in which a juvenile is charged with being delinquent by reason of violating any criminal law to requisition said juvenile from another state.

Committee on Student and Youth Activities.

By Senators Goodwin, Menton, Denton, Foshee, Amari, and Teague:

S. 202. To amend Section 40-20-2, Code of Alabama 1975, so as to further define the limitations imposed upon counties, cities, towns or municipalities to establish, levy, impose or collect, as a condition of doing business or otherwise, any tax, fee, license or charge whatsoever, directly or indirectly, with respect to the production, treating, processing, ownership, sale, storage, purchasing, marketing, or transportation on any oil or gas produced in the State of Alabama.

Committee on Finance and Taxation.

By Senators Corbett, Figures, and Sanders:

S. 203. To supplement the Workmen's Compensation Act, so as to provide compensation for disability or death due to Cotton Textile Workers Lung Disease; to provide that the provisions of this act shall apply to employment contracts made on or after September 1, 1971; to provide for the manner of compensation, the rights and remedies of employees and civil and criminal liability of employers; and to provide for a limitation period of claims for compensation.

Committee on Business and Labor Relations.

By Senators Mitchem, Hand, Figures, Menton, Bedsole, Bedford, and Little:

S. 204. To amend Section 3 of the amendment to the Constitution of Alabama of 1901 proposed by Act No. 85-79, H. 6, of the 1985 First Special Session, which provides for a permanent trust fund known as "The Alabama Trust Fund" with certain moneys derived by the state from the sale, leasing or other disposition of its rights in certain offshore oil, gas and other hydrocarbon minerals, so as to provide further for the membership of the board of trustees of such trust fund.

Committee on Finance and Taxation.

The above Bill was read a first time at length as required by the Constitution.

By Senator Bennett:

S. 205. To amend Section 40-9-19, Code of Alabama, 1975, as previously amended, so as to define the types of local school taxes subject to the homestead exemption; and to provide an effective date for the Act.

Committee on Finance and Taxation.



By Senators Aldridge and Denton:

S. 206. Relating to "The Lifesaving Organ Procurement Act of 1986", to state the Legislative intent; to define the word "organ" and "attending physician", to better provide for the public health by providing that on the occurrence of death of a patient in a hospital, who has not made an anatomical gift to take place upon death, the hospital administrator, or designated representative to request, of specified survivors, in accordance with Section 22-19-42 (b), Code of Alabama, 1975, in the order of priority stated, and when persons in prior classes are not available at the time of death, and in the absence of actual notice to the contrary by the decedent or one in a prior class, to consent to the gift of organs of the decedent's body; to provide such request and its disposition shall be noted in the patient's medical record; to provide, where, based upon medical criteria that such a request would not yield an anatomical gift which would be suitable for use, or, where, based upon the special and peculiar knowledge of the attending physician and/or concerning the circumstances surrounding the death of the patient, there is an exception to the request required by this Article and such determination shall be noted in the patient's medical record; to provide for immunity from civil damages or criminal prosecution to any person who acts in good faith accord; and to provide that the provisions of this Article are cumulative and, insofar as possible, shall be construed in pari materia with other laws relating to the public health and anatomical gifts.

Committee on Health and Welfare.

By Senator Covington:

S. 207. To amend § 40-21-58 of the Code of Alabama to further define the term telephone business.

Committee on Commerce,  
Transportation, and Utilities.

By Senators Bennett, Bedford, Cooley, Aldridge, Barron, Amari, Covington, Parsons, deGraffenried, Cabaniss, and Langford:

S. 208. To appropriate funding for the creation of the "Alabama Hazardous Waste Cleanup Fund", to provide that such fund shall be used for the cleanup and restoration of abandoned or inactive sites at which improper disposal of hazardous substances has occurred, resulting in the potential for deleterious impacts on the health and welfare of the citizens of the state, as well as on the state's natural, environmental, and biological systems; to plan and undertake the rehabilitation, removal, and cleanup of hazardous substances deposited improperly at sites located within this state; to provide that this fund shall be used for sites not qualified for or unlikely to receive funding from the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (Public Law 96-510); to provide that the fund shall be administered by the Alabama Department of Environmental Management; to provide that the sites within this state shall be ranked according to their relative threat and the fund applied to those sites in the order of that ranking; to direct the Alabama Department of Environmental Management to secure other funds whenever possible and thereby provide for future appropriations for the "Alabama Hazardous Waste Cleanup Fund."

Committee on Finance and Taxation.

By Senators Amari, Bennett, and Parsons:

S. 209. To define certain school records as "governmental records" and to include school systems and institutions in the definition of government so as to make it illegal to knowingly falsify certain school records.

Committee on Education.

By Senators Hand, Bedford, Bedsole, Mitchem, Dial, Foshee, Holmes, Cabaniss, Denton, Aldridge, Bishop, Teague, Barron, Strong, Cooley, deGraffenried, Smith (B), Goodwin, Menton, Smith (J), Figures, Dixon, Ellis, Covington, and Bailey:

S. 210. To create and establish a state forest industrial development board; to provide for the membership and meetings of such a board; to prescribe the responsibilities and functions for such board; and to make an appropriation from the state general fund for such board.

Committee on Agriculture,  
Conservation, and Forestry.

By Senators Bennett, Bedford, Cooley, Aldridge, Barron, Covington, Amari, Parsons, deGraffenried, Cabaniss, and Langford:

S. 211. To appropriate funding to provide for the identification, preliminary assessment and ranking of abandoned or inactive sites at which improper disposal of hazardous substances has occurred, resulting in the potential for deleterious impacts on groundwater or the health and welfare of the citizens of the state, as well as on the state's natural, environmental, and biological systems; to direct the Alabama Department of Environmental Management to assess the financial and other resources needed to clean up those sites identified by this study; to provide that the monies appropriated be administered by the Alabama Department of Environmental Management.

Committee on Finance and Taxation.

By Senators Bedford, Bennett, Aldridge, Barron, Little, Goodwin, Langford, and deGraffenried:

S. 212. To provide further for the regulation, control, abatement and prevention of environmental problems in the state, including problems resulting from air and water pollution, solid and hazardous waste management activities, coastal area activities, the supply of drinking water, water well drilling and the operation of water and wastewater treatment plants. Specifically, this Act amends Section 22-22A-5, Code of Alabama 1975, as amended, to authorize the Alabama Department of Environmental Management to issue administrative orders assessing civil penalties for violation laws which it administers; to authorize the Alabama Department of Environmental Management or Attorney General to commence civil actions to recover penalties for such violations; and to require that such penalties be deposited to the credit of the general fund; to provide for the same liability of responsible corporate officers in civil actions under this Act as is provided in criminal actions under the Federal Food, Drug and Cosmetic Act as construed in *United States v. Dotterweich*, 320 U. S. 277 (1943), and *United States v. Park*, 421 U. S. 658 (1975); to authorize the Alabama Department of Environmental Management, Attorney General or District Attorneys to commence civil actions to enjoin violations of laws administered by the Alabama Department of Environmental Management; to clarify the authority of the Alabama Department of Environmental Management to enforce the

provisions of laws which it administers and to issue licenses. This Act also amends Section 22-22A-7, Code of Alabama 1975, as amended, to provide that administrative action which was or could have been reviewed by the Environmental Management Commission shall not be subject to judicial review in civil or criminal enforcement proceedings. This Act also amends Section 22-22A-11, Code of Alabama 1975, as amended, relating to the Alabama Department of Environmental Management Fund to allow for deposit of fines and penalties into the general fund. This Act also amends Sections 9-7-22, 22-22-9, 22-28-22 and 22-23-52, Code of Alabama 1975, as amended, to repeal provisions relating to civil actions for the recovery of penalties and injunctive relief. This Act also amends Section 22-22-9, Code of Alabama 1975, as amended, to clarify that enforcement provisions are applicable to permits and orders issued by the Alabama Department of Environmental Management; to clarify that certain provisions apply to pollutants as well as sewage, industrial wastes or other wastes; to clarify existing subpoena powers; and to modify the notice requirements for water quality standards. This bill also amends Section 22-22-14, Code of Alabama 1975, as amended, to provide further for the punishment of persons who are convicted of a violation committed after a first conviction. This Act also amends Section 22-28-22, Code of Alabama 1975, as amended, to clarify existing subpoena powers. This Act also amends Section 22-28-23, Code of Alabama 1975, as amended, to provide that local air pollution programs may adopt provisions for administrative assessment of civil penalties and issue permits in lieu of permits from the Department. This Act also amends Section 22-30-19, Code of Alabama 1975, as amended, to repeal provisions relating to administrative assessment of penalties; to permit representatives of the Alabama Department of Environmental Management to enter premises, including transportation facilities, for purposes related to the administration of the Hazardous Wastes Management Act of 1978, including inspection and copying of records required to be maintained; to make criminal a culpable omission in an application, label, manifest, record, report, permit or document and the destruction, alteration, concealment or failure to maintain or file certain documents; and to increase the fines for criminal offenses. This Act also makes clear the legislative intention that the Alabama Department of Environmental Management provide notice in the manner prescribed by those laws made expressly applicable to it.

Committee on Health and Welfare.

By Senators Bedford, Bennett, Aldridge, Little, and Langford:

S. 213. To require public officers and employees and certain other persons who have any financial interest in any commercial hazardous waste disposal site in the State of Alabama to file an annual statement of such financial interest with the Secretary of State and to provide penalties for the noncompliance with this Act.

Committee on Governmental Affairs.

By Senators Aldridge and Denton:

S. 214. Relating to the acquisition and transportation and transplantation of donor organs; to state the legislative intent; to define the terms chairman, person, quality assurance, organ and service; to provide that the chairman is to establish policies, procedures and standards and certify compliance with the established quality assurance standards of persons engaging in organ acquisition, and/or transportation, and/or transplantation but Chairman shall not certify a person until that person possesses and demonstrates

to the Chairman the necessary knowledge and technical skills to comply with the established standards of quality assurance; to provide that persons providing any service pertaining to the acquisition and/or transportation and/or transplantation of organs shall strictly adhere to and follow established quality assurance standards; to provide for sanctions for persons providing services in violation of the established policies and procedures and standards of the Chairman for quality assurance in that they shall not receive reimbursement for such services from programs administered by the State of Alabama, and that Chairman will recommend to other reimbursing agencies that reimbursement be denied; to provide for immunity from civil damages or criminal prosecution to any person who, in good faith, follows the policies and procedures and standards established by the Chairman, and complies with the provisions of the Alabama Uniform Anatomical Gift Act; and to provide the Article is cumulative and to be construed in *pari materia* with other laws relating to the public health and anatomical gifts and when standards of quality assurance are adopted by the federal government, Alabama standards shall be consistent with federal regulations.

Committee on Health and Welfare.

By Senators Mitchem, Covington, Cooley, Smith (J), Goodwin, and Bishop:

S. 215. To exempt certain income of former Prisoners of War from the imposition of state, county or municipal income taxation and to provide for an effective date.

Committee on Finance and Taxation.

By Senators Mitchem, Covington, Cooley, Smith (J), Goodwin, and Bishop:

S. 216. To amend Section 40-9-13, Code of Alabama 1975, which provides the exemption of The Prisoners of War Thrift Shops from the payment of all state, county and municipal sales and use taxes.

Committee on Finance and Taxation.

By Senators Mitchem, Covington, Cooley, Smith (J), Goodwin, and Bishop:

S. 217. To amend Section 32-6-254, Code of Alabama 1975, which provides for the use and transferability of distinctive license plates for former prisoners of war, so as to allow the widows of such persons to be entitled to retain said plates.

Committee on Commerce,  
Transportation, and Utilities.

By Senators Menton and Denton:

S. 218. To provide that any State commander of a veterans organization shall be entitled to a distinctive auto license plate; to provide for the distribution of said tag; and to provide that said tag shall be issued free of all fees and taxes.

Committee on Commerce,  
Transportation, and Utilities.

By Senator Corbett:

S. 219. To provide further for warranties on new motor vehicles and to provide for refunds for failure to conform to said warranties.

Committee on Judiciary.

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By Senator Corbett:

S. 220. To exempt the Tuskegee Civic Association, Inc., from the payment of all state, county and municipal sales and use taxes.

Committee on Finance and Taxation.

By Senator Corbett:

S. 221. To amend Section 40-21-82.1, Code of Alabama 1975, which provides for certain exemptions from the utility gross receipts tax, so as to include the Ladonia-Crawford Water and Fire Protection Authority within the exemptions.

Committee on Finance and Taxation.

By Senator Corbett:

S. 222. To amend Sections 32-6-271, 32-6-272 and 32-6-274, Code of Alabama 1975, which provide for distinctive license plates for fire fighters, so as to provide further for said license plates.

Committee on Commerce,  
Transportation, and Utilities.

By Senator Little:

S. 223. To amend Section 41-19-10 of the Code of Alabama 1975, relating to operation plans or budget management by state agencies/departments generally, so as to provide further for such budget management.

Committee on Finance and Taxation.

By Senator Denton:

S. 224. To amend Section 40-9-1 of the Code of Alabama 1975 relating to exemption from ad valorem taxation on all property owned by a veterans organization, or post-chapter and is occupied and used by same.

Committee on Finance and Taxation.

By Senator Dixon (With Notice and Proof):

S. 225. Relating to Montgomery County; to legalize the sale of draft or keg beer or malt beverages.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 225, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Dixon:

S. 226. To amend Section 13A-7-23.1 of the Code of Alabama 1975 relating to criminal offenses involving desecration of tombs and gravestones, so as to provide further for such offenses.

Committee on Judiciary.

By Senators Bennett, Bedford, Cooley, Aldridge, Barron, Amari, Covington, Parsons, deGraffenried, Cabaniss, and Langford:

S. 227. To create and establish the "Alabama Waste Management Board" as a nonregulatory state agency; to provide for the membership of such board; to prescribe the functions and responsibilities of such board and to provide for an appropriation to such board from the state general fund.

Committee on Finance and Taxation.

By Senator Barron (With Notice and Proof):

S. 228. Relating to Jackson County; to authorize the probate judge to set the fee for supplying a copy of an instrument; to place the proceeds from the fees in a special fund and provide for its use.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 228, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Mitchem:

S. 229. To make a supplemental appropriation from the general fund of the state treasury to the Alabama Manufactured Housing Commission for the current fiscal year.

Committee on Finance and Taxation.

By Senator Dixon:

S. 230. To amend Sections 16-25-14 and 36-27-16, Code of Alabama 1975, to provide that upon the death of a member of the teachers' or employees' retirement systems who is eligible for a service retirement allowance, but has opted to continue in active service, such member's surviving spouse shall receive an allowance in an amount that would have been payable if the member had retired immediately prior to death under option 2, thus this change will allow such spouse to receive a greater allowance than would be provided under option 3 as the law currently provides in such situations.

Committee on Governmental Affairs.

By Senator Denton:

S. 231. To amend Section 31-6-6, Code of Alabama 1975, relating to educational benefits for children of certain disabled veterans so as to further provide therefor.

Committee on Finance and Taxation.

By Senators Bailey, Mitchem, Barron, Cabaniss, Bedford, Foshee, Hand, Denton, Teague, Goodwin, Menton, Covington, and Parsons:

S. 232. To require notice to a parent prior to performing an abortion on an unemancipated minor who is less than eighteen years old, or any mentally incompetent person, regardless of age, under the guardianship of another, to the extent constitutionally permissible; to provide for the enforcement of this Act; and to prescribe penalties for violations.

Committee on Health and Welfare.

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By Senator Mitchem:

S. 233. To appropriate funds to the State Board of Education for allocation to local boards of education and the Department of Youth Services School District and to appropriate funds to the Alabama Institute of Deaf and Blind should the Legislature grant mandated pay raises that take effect prior to the beginning of a fiscal year.

Committee on Finance and Taxation.

By Senator Teague:

S. 234. To change the formula for determining the "Average Final Compensation" of members of the Teachers' Retirement System.

Committee on Finance and Taxation.

By Senators Bailey, Mitchem, Hand, Bedford, Dial, deGraffenried, Langford, Foshee, Covington, Little, Aldridge, Denton, Teague, Goodwin, Menton, and Barron:

S. 235. To provide for the foster children of the state of Alabama an annual school clothing and supplies allowance.

Committee on Finance and Taxation.

By Senators Bailey, Hand, Mitchem, Dial, Bedford, deGraffenried, Langford, Foshee, Covington, Little, Aldridge, Denton, Teague, Goodwin, Menton and Barron:

S. 236. Providing further for the monthly boarding payment made by the State Department of Pensions and Security for keeping a foster child and to provide that it shall be based on the cost of living index.

Committee on Finance and Taxation.

By Senators Bailey, Mitchem, Hand, deGraffenried, Langford, Foshee, Covington, Little, Aldridge, Denton, Bedford, Teague, Goodwin, and Barron:

S. 237. To provide for the protection of the children of the State of Alabama by insuring that the Family and Children Services Division of the Department of Pensions and Security will be capable of serving children in need of emergency support.

Committee on Finance and Taxation.

**RESOLUTIONS**

Senator Strong offered the following Senate Resolutions, to-wit:

S. R. 7. COMMENDING HEATHER LOIS THOMPSON, CHOC-TAW COUNTY JUNIOR MISS.

Also:

S. R. 8. COMMENDING SUSAN PAIGE REEVES, CLARKE COUNTY JUNIOR MISS.

Also:

S. R. 9. COMMENDING TONJA MARIE PARK, HALE COUNTY JUNIOR MISS.

Also:

S. R. 10. COMMENDING TONYA KAY HAWKINS, WASHINGTON COUNTY JUNIOR MISS.

Also:

S. R. 11. COMMENDING SHERRIE MARIE VICE, MONROE COUNTY JUNIOR MISS.

Also:

S. R. 12. COMMENDING SHELIA LYNN WILLIAMS, CONECUH COUNTY JUNIOR MISS.

Which were adopted.

Senator Teague offered the following Senate Resolution, to-wit:

S. R. 13. COMMENDING AMY ESTER WRIGHT, TALLADEGA, COUNTY JUNIOR MISS.

Which was adopted.

Senators Strong, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Horn, Langford, Little, Menton, Mitchem, Parsons, Sanders, Smith (B), Smith (J), and Teague offered the following Senate Resolution, to-wit:

S. R. 14. COMMENDING THE ALABAMA'S JUNIOR MISS PROGRAM.

Which was adopted.

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 15. COMMENDING IMOGENE KELLER OF ATHENS, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Also:

S. R. 16. COMMENDING BETTYE E. ADAMS.

Also:

S. R. 17. COMMENDING MABLE BARKER KIRK GARRETT OF ATHENS, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Which were adopted.

### COMMITTEE REPORT FILED

Pursuant to the provisions of Act No. 85-566, 1985 Regular Session, the report of the Joint Interim Committee on Municipal Government was filed with the Secretary.

### RESOLUTIONS

Senators Dixon, Bedsole, Cabaniss, Hand, Bedford, Dial, Little, deGraffenried, and Langford offered the following Senate Joint Resolution, to-wit:

S. J. R. 18. NAMING THE ALABAMA SHAKESPEARE FESTIVAL THEATRE, IN MONTGOMERY, ALABAMA, "THE CAROLYN BLOUNT THEATRE."



WHEREAS, the Alabama Shakespeare Festival theatre in Montgomery, Alabama, is a magnificent cultural complex made possible solely through generous funding and a gift of land by Mr. and Mrs. Winton Blount of that city; and

WHEREAS, the December 1985 dedication of this outstanding facility, built in Wynfield Park behind the Blount home, was the culmination of several years of planning and construction, and its completion was the realization of a dream inspired by Mrs. Blount whose knowledge and love of Shakespeare guided her husband in a growing appreciation of her interests; and

WHEREAS, as the Alabama Shakespeare Festival theatre was built as a tribute of love to Carolyn Blount and given in her honor to the people of the United States and future generations, it is both desirous and appropriate that said theatre forever bear her name; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Alabama Shakespeare Festival theatre in Wynfield Park, Montgomery, Alabama, is hereby named and henceforth and forever shall be known as "The Carolyn Blount Theatre."

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Carolyn Blount as a memento of this honorary designation of the Legislature and to express the gratitude of this state and nation and all citizens thereof.

On motion of Senator Dixon, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Dial and Bedsole offered the following Senate Joint Resolution, to-wit:

S. J. R. 19. COMMITTEE APPOINTED TO DETERMINE THE COST OF RENOVATING THE ALABAMA STATE HOUSE.

BE IT RESOLVED WITH BOTH HOUSES CONCURRING, That a Committee of two (2) Senators appointed by the Lt. Governor and two (2) House members appointed by the Speaker of the House be formed to determine the actual expense of renovating the new State House Building, formerly known as the old Highway Building. This Committee shall determine cost, where money came from to pay said cost and what agencies are involved.

This Committee shall report back to the Legislature prior to the end of the 1986 Regular Session.

On motion of Senator Dial, the Rules were suspended and the Resolution was adopted by the Senate.

### MOTION TO ADJOURN

Senator Denton moved that when the Senate adjourns today, its adjourn to meet again on Tuesday, January 21, 1986, at 2 o'clock P.M., which motion was adopted.

### RESOLUTIONS

Senator Foshee offered the following Senate Resolution, to-wit:

S. R. 20. EXPRESSING THE APPRECIATION OF THE SENATE FOR THE EXPEDITIOUS AND PROFESSIONAL CONTRIBUTIONS OF

**THE DEPARTMENT OF CORRECTIONS TO THE RECENT MOVE OF THE SENATE FROM THE CAPITOL TO THE STATE HOUSE.**

Which was adopted.

Senator Goodwin offered the following Senate Joint Resolution, to-wit:

**S. J. R. 21. COMMENDING THE EDGEWOOD JUNIOR GARDENERS OF EDGEWOOD ELEMENTARY SCHOOL, SELMA, ALABAMA.**

WHEREAS, in consensus of highest commendation, the Alabama Legislature notes the presentation of the Winifred F. Fink Youth Environmental Concern Award to the Edgewood Junior Gardeners of Edgewood Elementary School, Selma, Alabama; and

WHEREAS, this prestigious honor of the National Council of Garden Clubs was awarded at the council's 1985 Spring Convention in Nashville, Tennessee, and was established in tribute to Mrs. Fink, a past president of the national council, and in further purpose, to encourage youth awareness and efforts toward environmental concern; and

WHEREAS, it is also to be noted, with extreme pride, that the Edgewood Junior Gardeners were adjudged most outstanding over all elementary, middle school, and high school junior gardeners in the entire nation; it was the first time, as well, in the fifty-year history of the National Council of Garden Clubs that the Selma clubs have been the recipient of a national award; and

WHEREAS, the Edgewood Junior Gardeners, organized in 1974 with 14 members of a special education class, has now expanded to a membership of 353 from the school's enrollment of more than 500, an impressive indication of the far-reaching effect of the Junior Gardeners' projects on the student body, their families and community, and on the faculty of Edgewood School; and

WHEREAS, additionally to be commended for loyal and staunch support are the club's leader and co-leader, Mrs. Robert Childs and Mrs. Ann Thomas; Mr. Don Raybon, principal; Mr. Bill Brackin of Lakeview Nursery; Mrs. Charles W. Breeding, sponsor; Mrs. Fred Davis, president of the City Garden Club of Selma; and numerous other loyal benefactors and friends; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That in recognition of outstanding achievement, and in deep appreciation for the honor they have brought to the City of Selma and the State of Alabama, we hereby most highly commend the Edgewood Junior Gardeners of Edgewood Elementary School, and direct that copies of this resolution of praise be forwarded to Mrs. Charles W. Breeding, club sponsor since 1974, for appropriate presentation and display.

On motion of Senator Goodwin, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Goodwin then offered the following Senate Joint Resolution, to-wit:

**S. J. R. 22. COMMENDING KATHRYN TUCKER WINDHAM OF SELMA, ALABAMA, RECIPIENT OF THE 1985 "LIVING FOR AMERICA" AWARD.**

WHEREAS, in consensus of commendation, the Legislature of Alabama extends heartiest congratulations to Kathryn Tucker Windham of Selma,

Alabama, the recipient of the 1985 "Living for America" award, an annual presentation jointly bestowed by the City of Selma, the Selma-Dallas County Chamber of Commerce and the Alabama Department of Tourism and Travel; and

WHEREAS, Mrs. Windham, who is Alabama's most celebrated writer, storyteller and humorist, is a former reporter and columnist with The Birmingham News, The Montgomery Advertiser and Journal, and The Selma Times-Journal; she also is the author of 14 books and has rendered audiences spellbound, nationwide, with her ghost stories and other tales, and with her portrayal of Alabama's Julia Tutwiler, a pioneer champion for women's rights and prison reform, in a one-woman show titled "My Name is Julia"; and

WHEREAS, it is significant to note that in joining former "Living for America" award recipients—Governor George C. Wallace, former Postmaster-General Winton Blount, United States Senator Jeremiah Denton and entertainer George Lindsey—Mrs. Windham not only joined a select group of prominent Alabamians, but most certainly brought a smile to Julia Tutwiler's lips as she looked down on the addition of her portrayer's name to a previously all-male roster; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Kathryn Tucker Windham of Selma, Alabama, for outstanding achievement, and as a gracious lady who so generously shares with others her boundless love and quick, warm smile.

BE IT FURTHER RESOLVED, That in small token of our deep admiration and personal regard, a copy of this resolution shall be forwarded to Mrs. Windham.

On motion of Senator Goodwin, the Rules were suspended and the Resolution was adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Johnson (Roy):

H. J. R. 25. RELATIVE TO MEETING DAYS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when we adjourn today, Thursday, January 16, 1986, that we adjourn to meet again on Tuesday, January 21, 1986.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

On motion of Senator Teague, the Rules were suspended and the Resolution, H. J. R. 25, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Harper:

H. J. R. 37. INVITING THE HONORABLE DAVID E. NETHING TO ADDRESS A JOINT SESSION OF THE ALABAMA LEGISLATURE.

Also:

By Rep. Richardson:

H. J. R. 38. MOURNING THE DEATH OF EUGENE E. DUTTON OF HOLLYWOOD, ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator Teague, the Rules were suspended and the Resolutions, H. J. R.'s 37 and 38, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Holmes:

H. J. R. 33. RECALLING THE 1986 CALENDARS AND RE-ISSUE NEW ONES, INCLUDING THE BIRTHDAY OF MARTIN LUTHER KING, JR.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolution, H. J. R. 33, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Burke, Ford, Lindsey, Bugg, Rains, and Junkins:

H. J. R. 18. DESIGNATING THE TABOR ROAD IN DISTRICT NO. 2 OF ETOWAH COUNTY, ALABAMA; HIGHWAY 3, CONNECTING WITH ETOWAH COUNTY'S TAYLOR ROAD AND ALABAMA HIGHWAY 176 IN CHEROKEE COUNTY, ALABAMA; AND STATE HIGHWAY 176 FROM ALABAMA HIGHWAY 68 TO DOGTOWN, COUNTY

ROUTE 85 FROM DOGTOWN TO STATE HIGHWAY 117 AT MENTONE AND COUNTY ROUTE 177 FROM STATE HIGHWAY 117 AT MENTONE TO THE GEORGIA STATE LINE, ALL IN DeKALB COUNTY, AS A PART OF THE PROPOSED LOOKOUT MOUNTAIN PARKWAY OF ALABAMA, GEORGIA AND TENNESSEE.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in response to the official support of the Etowah, Cherokee and DeKalb County Commissions, and the wishes of the citizens of said counties, we hereby name and designate the Tabor Road in District No. 2 of Etowah County, Alabama; Highway 3, connecting with Etowah County's Taylor Road and Alabama Highway 176 in Cherokee County, Alabama; and State Highway 176 from Alabama Highway 68 to Dogtown, County Route 85 from Dogtown to State Highway 117 at Mentone and County Route 177 from State Highway 117 at Mentone to the Georgia state line, all in DeKalb County, as a part of the proposed Lookout Mountain Parkway of Alabama, Georgia and Tennessee.

BE IT FURTHER RESOLVED, That copies of this Legislative designation be forwarded to the Etowah, Cherokee and DeKalb County Commissions.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 18, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Coleman:

H. J. R. 15. DIRECTING THE ALABAMA STATE DEPARTMENT OF EDUCATION TO CONDUCT A SURVEY OF SUPPORT PERSONNEL EMPLOYMENT PRACTICES OF LOCAL BOARDS OF EDUCATION, THE DEPARTMENT OF YOUTH SERVICES, AND THE ALABAMA INSTITUTE FOR THE DEAF AND BLIND.

WHEREAS, the Legislature of Alabama has appropriated funds for the operations of local boards of education and the Department of Youth Services and the Alabama Institute for Deaf and Blind; and

WHEREAS, among other line items, funds are provided for Other Current Expenses to maintain operations of facilities and to provide for the employment of janitors, custodians, clerks, lunchroom workers, carpenters, secretaries, and other support personnel; and

WHEREAS, among other line items, funds are provided for Transportation of students to maintain buses and to provide for the employment of bus drivers and mechanics and other support personnel; and

WHEREAS, in the development of budgeting decisions concerning salary levels and requirements for salary increases for support personnel, oftentimes

such decisions are based on estimates of employment levels and practices at the local level; and

WHEREAS, insufficient data is maintained by the Alabama State Department of Education concerning the employment levels and practices of support personnel at the local boards of education and the Department of Youth Services and the Alabama Institute for the Deaf and Blind to enable the best possible fiscal decisions by the Alabama Legislature on the budgeting process;

NOW THEREFORE BE IT RESOLVED by the Alabama House of Representatives, the Senate concurring, that the Alabama State Department of Education is hereby directed to conduct a survey of all employment levels and all employment practices of support personnel at the local boards of education and the Department of Youth Services and the Alabama Institute for the Deaf and Blind for the 1984-85 and 1985-86 years.

BE IT FURTHER RESOLVED by the Alabama House of Representatives, the Senate concurring, that said survey shall cover every aspect surrounding support personnel employment practices at the local boards of education and the Department of Youth Services and the Alabama Institute for the Deaf and Blind including but not limited to the following:

- a) Categories and/or classifications of each different type of support personnel employed at each local board, department and institute;
- b) Number of employees in each category and/or classification at each local board, department, and institute identified by race, age, sex, position, and level;
- c) Annual salary level of each support person employed at each local board;
- d) Length of contract or term of employment for each category and/or classification of support personnel employed;
- e) Annual salary ranges for each category and/or classification of support personnel at each local board, department and institute equated to an annual salary of 10, 11, and 12 months, indicating the number of hours per day and number of days per year of employment;
- f) Training in the field of service and education required by each local board, department and institute for the employment of each category and/or classification at each level for support personnel;
- g) Number of years of continuing service credited to each support person at each local board, department and institute for the placement of such persons on salary schedules;
- h) Policies of each local board of education and the Department of Youth Services and the Alabama Institute for the Deaf and Blind governing the employment of support personnel and placement on salary schedules;
- i) Any and all other information relative to the employment of support personnel which may be an aid to the Legislature in the development of budget considerations;

BE IT FURTHER RESOLVED by the House of Representatives, the Senate concurring, that the Alabama State Department of Education shall

utilize said survey results for development of a report or several reports and such reports shall be made available to the Legislature and all interested parties including the state organization representing the greatest number of support personnel employees of the local boards, departments and institute no later than the first day of the 1987 Regular Session of the Alabama Legislature.

BE IT FURTHER RESOLVED by the Alabama House of Representatives, the Senate concurring, that the Alabama State Department of Education shall utilize such survey results to establish an information bank at the Alabama State Department of Education;

BE IT FURTHER RESOLVED by the Alabama House of Representatives, the Senate concurring, that the Alabama State Department of Education shall annually conduct similar surveys and/or require annual reporting by local boards, department and institute for the continuous maintenance and updating of said information bank.

BE IT FURTHER RESOLVED by the Alabama House of Representatives, the Senate concurring, that the data contained in such information bank shall be made available upon request to any and all interested parties including the organization representing the greatest number of support personnel employed by the local boards of education and the Department of Youth Services and the Alabama Institute for the Deaf and Blind.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 15, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Pratt:

H. J. R. 16. CONGRATULATING MR. AND MRS. C. T. PENNY OF BIRMINGHAM, ALABAMA, ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

By Rep. Pratt:

H. J. R. 17. COMMENDING RETIRED POLICE CHIEF, ROBERT LOVE, OF PLEASANT GROVE, ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator deGraffenried, the Rules were suspended and the Resolutions, H. J. R.'s 16 and 17, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Turner, Gaston, and Buskey (James):

H. J. R. 26. NAMING A PORTION OF U. S. HIGHWAY 98 IN MOBILE COUNTY, ALABAMA, THE "MOFFETT ROAD."

Also:

By Rep. Johnson (Roy):

H. J. R. 28. COMMENDING THE CLASS OF 1934, THOMAS GOODE JONES SCHOOL OF LAW.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolution, H. J. R. 26, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

On motion of Senator deGraffenried, the Rules were suspended and the Resolution, H. J. R. 28, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

**REPORTS OF COMMITTEES**

Senator Smith (J), Chairperson of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senators Cooley, Drinkard, Mitchem, Smith (J), Hilliard, Teague, Horn, Holmes, Bedford, Dial, Covington, Corbett, deGraffenried, Parsons, Dixon, Bedsole, Aldridge, Cabaniss, Goodwin, Menton, Foshee, Bennett, and Amari (With Amendment):

S. 89. Relating to banks, banking and branch banking which: amends Title 5 of the Alabama Code of 1975 by adding Chapter 13A so as to create the "Alabama Regional Reciprocal Banking Act of 1986"; provides definitions; authorizes any bank holding company whose principal place of business is in any one of certain jurisdictions to acquire banks and bank holding companies located in Alabama under certain conditions and limitations; requires divestiture in certain circumstances; provides applicable law and for regulatory supervision and enforcement authority; provides for application fees; provides for severability of provisions; restricts amendment of §5-5A-20, Code of Alabama, 1975; and provides an effective date.

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:



By Senator Corbett:

S. 48. Relating to the Alabama Sunset Law; to continue the existence and functioning of the board of heating and air conditioning contractors as provided in Sections 34-31-18 through 34-31-34 of the Code of Alabama 1975; with certain modifications; to amend Sections 34-31-21 and 34-31-28, so as to provide further for persons who may be certified without having to be examined by the board; and to authorize the board to adopt minimum repair and service standards or criteria for its registered contractors; and to provide for misdemeanor penalty for noncompliance.

By Senators Corbett, Holmes, Menton, and Teague:

S. 49. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Board of Registration for Foresters as provided in Sections 34-12-1 through 34-12-37 of the Code of Alabama 1975, with certain modifications; to amend Sections 34-12-5, 34-12-6, 34-12-8, 34-12-9, 34-12-30, 34-12-32 and 34-12-36, so as to increase annual license issuance fees; increase examination fees; increase annual notification of renewal license fees; increase reissuance or reinstatement of license fees; rename Alabama chapter the Alabama "Division"; increase per diem allowances for meeting days of board members; and to require bonding of certain officers of the board.

By Senators Corbett, Holmes, Menton, and Teague:

S. 50. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Board of Dental Examiners as provided in Sections 34-9-40 through 34-9-47 of the Code of Alabama 1975, and the legislature's concurrence thereof.

By Senators Corbett, Holmes, Menton, and Teague:

S. 51. Relating to the Alabama Sunset Law; to continue the existence and functioning of the State Oil and Gas Board as provided in Sections 9-17-1 through 9-17-32 of the Code of Alabama 1975; and the legislature's concurrence thereof.

By Senators Corbett, Holmes, Menton, and Teague:

S. 55. Relating to the Alabama Sunset Law; to continue the existence and functioning of the State Licensing Board of General Contractors as provided in Sections 34-8-1 through 34-8-27 of the Code of Alabama 1975; with certain modifications; to amend Sections 34-8-2 and 34-8-24, so as to provide that application fees for licenses will be nonrefundable and to provide further for meetings of the board.

By Senators Corbett, Holmes, Menton, and Teague:

S. 56. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Radiation Control Agency and the Radiation Advisory Board as provided in Sections 22-14-1 through 22-14-35 of the Code of Alabama 1975; and the legislature's concurrence thereof.

By Senator Denton:

S. 24. Relating to supernumerary tax assessors and collectors, so as to provide for a minimum annual salary for such officials.

By Senator Denton:

S. 25. To amend Section 36-27-16, Code of Alabama 1975, relating to the state employees' retirement system, so as to provide the same retirement

mandates, qualifications and benefits for state aircraft pilots that are provided for state policemen.

By Senator Langford:

S. 34. To amend Sections 11-46-92, 11-46-93, 11-46-96, 11-46-97, 11-46-98, 11-46-107, 11-46-111, and 11-46-122, Code of Alabama 1975, so as to establish the dates of municipal elections in certain cities or towns having commission form of government and to establish dates and other procedures required in connection with such elections.

By Senator Langford:

S. 35. To amend Sections 11-46-21, 11-46-22, 11-46-25, 11-46-26, 11-46-27, 11-46-36, 11-46-40, 11-46-51, and 11-43-2, Code of Alabama 1975, so as to establish the dates of municipal elections in certain cities or towns having mayor-council form of government and to establish dates and other procedures required in connection with such elections.

By Senator Langford:

S. 36. To amend Section 11-51-91, Code of Alabama, 1975, so as to clarify the meaning of said Section; to require a liberal construction of the meaning of said Section.

By Senators Goodwin and Menton:

S. 44. Relating to the regulation of the production of oil and gas in this State; to amend Sections 9-17-1 and 40-20-1, Code of Alabama 1975, to define oil and gas terms, to amend Section 9-17-6, Code of Alabama 1975, relating to the powers and duties of the State Oil and Gas Board; to amend Section 9-17-7, Code of Alabama 1975, to authorize the State Oil and Gas Board to delegate power and authority to a hearing officer; to amend Section 9-17-12 and Section 9-17-13, Code of Alabama 1975, to eliminate the requirement that the State Oil and Gas Board shall settle disputes relative to well costs; to amend Section 9-17-24, Code of Alabama 1975, to provide for the collection of application fees and to establish the Alabama State Oil and Gas Board Special Fund; to amend Section 9-17-32, Code of Alabama 1975, to provide for fines for violations of the rules, regulations, or orders of the State Oil and Gas Board.

By Senator Cooley:

S. 59. To further provide for election procedures, recordkeeping, and poll lists; to amend Section 17-13-7 of the Code of Alabama 1975, relating to elections, so as to provide that results of elections be reported to the secretary of state by precinct, and that the poll lists required by Sections 17-13-6 and 17-7-15, Code of Alabama 1975, be sent to the secretary of state; to repeal laws in conflict with the provisions of this act and Sections 17-7-16 and 17-7-17, Code of Alabama 1975, relating to the sealing and use of poll lists; to provide that provisions of this act are supplemental to Chapter 4, Title 17, Code of Alabama 1975, except as in direct conflict with the provisions of this act.

By Senator Corbett:

S. 106. To require the Department of Pensions and Security to charge a fee of \$20.00 (Twenty Dollars) per hour to be assessed as costs against the parties for investigation services performed in any cases involving divorce or divorce modifications.

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By Senator Little:

S. 62. To amend Section 36-1-7, Code of Alabama 1975, which provides for the state employee suggestion award program, so as to provide further for said program.

By Senator Aldridge:

S. 78. To amend Section 36-7-40 of the Code of Alabama 1975 so as to further provide for the reimbursement of state employees for moving expenses.

By Senator Dial:

S. 87. To amend sections 34-26-22, 34-26-43 and 34-26-43.1, Code of Alabama 1975, relating to the Board of Examiners In Psychology, so as to provide for increases in certain fees charged by the Board.

By Senators Ellis and Hand:

S. 91. To amend Section 11-43-40, Code of Alabama 1975, relating to the composition of city councils in cities having a population of 12,000 or more so as to provide for a procedure to establish a council of not less than five nor more than seven aldermen to be elected from districts.

By Senators Bennett and Horn:

S. 92. To amend Section 38-2-2 of the Code of Alabama 1975 relating to the state board of pensions and security so as to further provide for the election of two state employees to the board.

By Senator Cooley:

S. 94. To amend Section 36-13-12, Code of Alabama, 1975, in order to increase the retirement benefits of any unremarried widow who was the wife of a governor of Alabama during his term of office.

Senator Parsons, Chairperson of the Standing Committee on Education, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Teague:

S. 14. To amend Section 16-25-19, Code of Alabama, 1975, so as to expand the board of control of the Teachers' Retirement System from 13 to 14 members and to specify that the additional member shall be from the ranks of "retired members."

By Senator Langford:

S. 68. To provide that full-time employees and executive officers of the Alabama Opportunities Industrialization Center may elect to become members of the teachers' retirement system of Alabama; also to provide that said Center and its employees shall assume all costs, both contributory and administrative; and no cost shall devolve upon the State.

By Senator Corbett:

S. 126. To amend Sections 16-8-26, 16-8-26.1, and 21-1-22, Code of Alabama, 1975, so as to further provide for personal leave and to provide for the accumulation of personal leave days by teachers and support personnel.

By Senator Cooley:

S. 129. To provide for the creation, promulgation, and dissemination of written policies for educational support personnel.

By Senator Corbett:

S. 131. To amend Sections 16-36-2 and 13A-14-2, Code of Alabama, 1975, so as to provide for increased classroom teacher representation on the State Textbook Committee and to require open meetings.

By Senators Strong, Bedsole, Drinkard, and Goodwin:

S. 137. To amend Section 16-24-2, Code of Alabama, 1975, to allow county and city boards of education, upon the recommendation of the superintendent, to grant "continuing service status" to teachers who have completed at least one academic year of employment and who have had "continuing service status" previously granted in another school system.

Senator Denton, Chairperson of the Standing Committee on Commerce, Transportation, and Utilities, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senators Goodwin and Hilliard:

S. 16. To provide for the "Alabama Safety Belt Use Act of 1986"; to require front seat occupants of passenger cars to wear safety belts; to exempt certain persons from the provisions of this act; to prescribe a penalty for violation of the provisions of the act; and to provide for a phased-in implementation.

Senator Bailey, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Ellis:

S. 13. To define "daylight hours" for the purpose of hunting game birds and animals.

By Senators Bailey and Strong:

S. 52. Relating to lakes or ponds in this state which are privately owned by three or less owners; to prohibit one owner or his or her guests or licensees from fishing upon any portion of the lake owned by another joint owner without permission of the other joint owner or owners; to provide that persons who violate this act shall be guilty of a violation of trespass in the third degree; and to authorize any landowner to obtain a professional land survey at his or her own expense of the property lying under the lake in order to determine which portion of the lake belongs to the landowner.

By Senators Strong, Bedsole, Langford, Ellis, Drinkard, and Goodwin:

S. 154. To create the Alabama Turkey Hunters Hall of Fame Board and Museum; to prescribe its purposes, membership and location; to provide for the appointment of its members and for the holding of meetings.

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**ADJOURNMENT**

At 11:45 A.M., on motion of Senator Teague, in accordance with Motion and Resolution heretofore adopted, the Senate adjourned until Tuesday, January 21, 1986, at 2 o'clock P.M.

**THIRD LEGISLATIVE DAY**  
**TUESDAY, JANUARY 21, 1986**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

**PRAYER**

The Session was opened with prayer by Dr. Floyd C. Enfinger, Pastor, First United Methodist Church, Prattville, Alabama.

**PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Carl Petty, Alabama State University, Montgomery, Alabama.

**ROLL CALL**

Present:

Senators:	Cooley	Figures	Menton
Aldridge	Corbett	Foshee	Mitchem
Amari	Covington	Goodwin	Parsons
Bailey	deGraffenried	Hand	Sanders
Barron	Denton	Hilliard	Smith (B)
Bedford	Dial	Holmes	Smith (J)
Bedsole	Dixon	Horn	Strong
Bennett	Drinkard	Langford	Teague
Bishop	Ellis	Little	

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**JOURNAL**

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

**COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Second Legislative Day was approved by the Senate.

**LEAVE OF ABSENCE**

On motion of Senator deGraffenried, leave of absence was granted Senator Cabaniss for today.

### INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Teague:

S. 238. Proposing an amendment to the Constitution of Alabama relating to the exemption of the Birmingham Stallions Football Team, Inc., of Jefferson County from all state, city and county taxes for a period of five years.

Committee on Constitutional Revision.

The above Bill was read a first time at length as required by the Constitution.

By Senator Denton:

S. 239. To propose a law to authorize two or more counties to establish self-funded insurance funds for the purpose of providing liability protection of the member counties.

Committee on Governmental Affairs.

By Senator Foshee:

S. 240. To amend section 34-25-24, Code of Alabama 1975, which relates to the issuance of licenses by the state polygraph examiners board to non-resident applicants who are licensed in another state, so as to provide further for the fees charged for the issuance of licenses to such applicants.

Committee on Small Business.

By Senator Foshee:

S. 241. To propose a constitutional amendment to Amendment 81 of the Constitution of Alabama of 1901, relating to the holding of courts of record and the establishment and abolition of branch courthouses and divisions of circuit court, so as to provide that any habeas corpus, coram nobis, or other post-judgment proceeding relating to a criminal conviction that is filed in circuit court by or on behalf of any person incarcerated or confined in any correctional institution may, at the discretion of the judge presiding in the case, be held at any correctional institution operated under the direction and control of the State Department of Corrections wherein the person seeking the writ is confined; to provide for security during such proceedings; to delete those provisions of Amendment 81 that are in conflict with Amendment 328 to the Constitution of Alabama of 1901, as amended, and to provide for an election on the proposed amendment and notice thereof.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Senator Foshee:

S. 242. To amend Section 9-17-106 of the Code of Alabama 1975, relating to liquefied petroleum gas permit fees so as to increase the amount of permit fees.

Committee on Small Business.

By Senators Goodwin and Mitchem:

S. 243. To make an appropriation for the support and maintenance of the Marion Military Institute for the fiscal year ending September 30, 1987.

Committee on Finance and Taxation.

By Senators Teague and Mitchem:

S. 244. To make an appropriation for the support and maintenance of the Talladega College for the fiscal year ending September 30, 1987.

Committee on Finance and Taxation.

By Senators Holmes, Goodwin, deGraffenried, Dixon, Foshee, Parsons, Denton, and Teague:

S. 245. To require boards of education to defend school principals, members of the administrative and supervisory staffs and teachers whenever civil action has been brought against such persons for acts of willful neglect of duty, in the performance of duties within the policies of the board.

Committee on Education.

By Senator Corbett:

S. 246. To provide for further income tax exemptions in Section 40-18-19, Code of Alabama 1975, as last amended, to certain classes of taxpayers engaged in certain functions, so as to include certain income under the United States Foreign Service retirement and disability fund in such exemptions; to provide for the effective date January 1, 1986, and thereafter.

Committee on Finance and Taxation.

By Senators Mitchem, deGraffenried, Bailey, Goodwin, Aldridge, Langford, Ellis, and Holmes:

S. 247. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1987.

Committee on Finance and Taxation.

By Senators Mitchem, deGraffenried, Bailey, Goodwin, Aldridge, Langford, Ellis, and Holmes:

S. 248. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1987.

Committee on Finance and Taxation.

By Senator deGraffenried:

S. 249. To provide for the establishment of housing finance authorities by Class 6 municipalities in the State so as to permit such an authority to assist in the construction of apartment buildings and other structures for multi-family housing, and incidental construction, by the issuance of the authority's bonds and the authority's lending the proceeds of the issue to persons desiring to construct such buildings, or the authority constructing such buildings and leasing the same at rents adequate to retire the bonds,



which lease may include an option of the lessee to purchase the facilities at a nominal consideration; to authorize the formation of an authority and the appointment of directors thereto; to provide for the procedure to amend the certificate of incorporation of an authority; to provide rules respecting the officers of an authority; to provide for the powers and methods of operation of facilities of an authority; to prescribe a procedure and restrictions on the issuance of bonds and notes of an authority; to provide a procedure for the securing and giving collateral of such bonds and notes; to provide a method of validating the proceedings for issuance of bonds; to provide a method of issuing refunding bonds and notes; to permit the state, counties, municipalities, and other public subdivisions of the state and private companies to invest in such bonds and notes as legal investments; to provide for the establishment of special debt service reserve funds; to provide for the disposition of net earnings of an authority; to authorize counties, municipalities, and other public subdivisions and agencies to assist an authority in the performing of its functions; to authorize and provide a procedure for the dissolution of an authority; and to exempt an authority from certain taxations, licenses, and other fees, and authorize an authority to extend further exemptions with the concurrence of the municipality creating an authority; to exempt the bonds and notes of an authority from usury and interest loss; to exempt an authority from competitive bid laws; and to provide rules for the interpretation and construction of this Bill.

Committee on Finance and Taxation.

By Senator Bailey:

S. 250. To amend Section 8-17-91, which provides for distribution of petroleum inspection fees; to provide that the State Treasurer shall make distribution of said fees.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Bailey:

S. 251. To repeal §2-31-2, which exempts persons who buy grain for cash at the time of purchase; and persons licensed as public warehouses; to amend §2-31-4, which provides bonding requirements for grain dealers so as to remove the waiver of bond for those persons licensed under the United States Department of Agriculture Warehouse Act; and to waive bonding requirements for grain dealers who pay cash for grain at the time of purchase.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Bailey:

S. 252. To repeal Section 2-6-2, providing for the appointment of a Superintendent of the Agricultural Center to manage and control the coliseum and its facilities; to provide for the appointment of merit system employees for the Agricultural Center by the Agricultural Center Board.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Hilliard:

S. 253. To amend Section 14-9-41 of the Code of Alabama 1975 so as to allow an inmate who has been sentenced to a term of less than 15 years

in the state penitentiary to earn correctional incentive time in accordance with the other provisions of this section.

Committee on Judiciary.

By Senator Hilliard:

S. 254. To amend Section 12-3-27, Code of Alabama 1975, which provides for the appointment of law clerks by judges of the courts of appeals, so as to provide that the judges of the courts of criminal appeals may appoint an additional clerk.

Committee on Judiciary.

By Senator Hilliard:

S. 255. To provide that the governor of Alabama or his designee shall be empowered to allow the transfer of foreign nationals imprisoned in this state to the country of their citizenship subject to the terms of a valid treaty between the United States and that country.

Committee on Judiciary.

By Senator Bailey:

S. 256. To amend Section 2-2-15, which provides qualifications for those persons in charge of accounting, plant industry, agricultural chemistry and poultry so as these divisions do not have to be designated as divisions; to allow a qualified veterinarian to be in charge of poultry in lieu of a college graduate in poultry husbandry.

Committee on Agriculture,  
Conservation, and Forestry.

By Senators Cooley, Bennett, Corbett, Sanders, Horn, Parsons, Langford, Teague, and Bishop:

S. 257. To amend Section 25-4-72, Code of Alabama, 1975, so as to increase the individual weekly benefit amount of unemployment compensation.

Committee on Business and  
Labor Relations.

By Senator Hilliard:

S. 258. To provide to property owners the right to annex property to any contiguous approved municipality.

Committee on Governmental Affairs.

By Senator Hilliard:

S. 259. To authorize municipalities having a population of more than 250,000 in said county according to the last federal decennial census, in the discretion of its governing body, upon the purchase of real property situated in Jefferson County by the municipality for park or other public purposes, to indemnify the seller of such property with respect to liability which might thereafter arise on account of underground mining operations conducted on or under said property prior to the sale thereof to such municipality.

Committee on Governmental Affairs.

The above Bill was read a first time at length as required by the Constitution.

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By Senator Covington:

S. 260. To further amend Section 1-3-8, Code of Alabama 1975, relating to state holidays, so as to alter certain observances.

Committee on Governmental Affairs.

By Senator Barron:

S. 261. To amend Section 16-22-3, Code of Alabama, 1975, requiring examination for tuberculosis of school personnel by deleting the specific tests and frequency and adding the determination of same to be by rule of state board of health.

Committee on Health and Welfare.

By Senator Aldridge:

S. 262. To amend Sections 16-1-1 and 21-1-5, Code of Alabama, 1975, to change the fiscal year from October 1 through September 30, inclusive, to July 1 through June 30, inclusive, of each year; to amend Section 16-13-145, Code of Alabama, 1975; to clarify the definition of "Scholastic Day" in Section 16-1-1, Code of Alabama, 1975.

Committee on Finance and Taxation.

By Senator Hilliard:

S. 263. Authorizing the regulation by municipalities or other local governing authorities of private for-hire vehicles, however propelled, providing passenger transportation services and providing that municipalities or other local governing authorities and any officers or members of such shall not be subject to liability under the federal antitrust laws.

Committee on Commerce,  
Transportation, and Utilities.

By Senators Little and Mitchem:

S. 264. To make an appropriation for the support and maintenance of the Lyman Ward Military Academy for the fiscal year ending September 30, 1987.

Committee on Finance and Taxation.

By Senator Hilliard:

S. 265. To amend section 11-81-11, Code of Alabama 1975, so as to authorize county and municipal governments to sell their bonds by negotiated process if the governing body shall find that such process is desirable to gain the lowest net interest cost.

Committee on Governmental Affairs.

By Senator Menton:

S. 266. To amend further sections 40-23-4 and 40-23-62 of the Code of Alabama 1975, which provide for certain exemptions from sales and use taxes, so as to include certain materials, supplies and equipment used in offshore federal waters; and to provide for an effective date.

Committee on Finance and Taxation.

By Senator Dial (With Notice and Proof):

S. 267. Relating to Clay County; providing further for the expense allowance and salary for the county coroner.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 267, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Smith (B):

S. 268. To further define flotation device under certain circumstances for certain sailboarders or wind surfers, any law, rule or regulation to the contrary notwithstanding.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Bedford:

S. 269. To authorize any county commission to establish the office of supernumerary county commissioner; to prescribe the qualifications and the duties of such officer; to provide notice to the public for the intention thereof; and to prescribe the benefits of such officer.

Committee on Governmental Affairs.

## RESOLUTIONS

Senator Strong offered the following Senate Resolution, to-wit:

S. R. 23. COMMENDING HOLLY ANNE HILL, MARENGO COUNTY JUNIOR MISS.

Which was adopted.

Senator Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 24. RECOGNIZING THE KIMBERLY CLARK CORPORATION AND ITS CHILDERSBURG PLANT FOR SIGNIFICANT CONTRIBUTIONS TO THE COMMUNITY AND THE ENTIRE STATE OF ALABAMA.

WHEREAS, the Kimberly Clark Corporation opened its Childersburg plant in 1949 and, for the past more than three decades, has experienced tremendous growth in our state, thereby contributing greatly to Alabama's economy; and

WHEREAS, Kimberly Clark-Childersburg now employs 2,000 workers, meets an annual payroll of some 60 million dollars, and has purchased raw material and power in Alabama in excess of 100 million dollars; and

WHEREAS, also, in 1985, Kimberly Clark paid ad valorem taxes of 1.2 million dollars, state sales and usage taxes of one-half million dollars and Talladega County sales tax of some \$137,000; and

WHEREAS, in further service to and support of the community, Kimberly Clark generously makes direct donations to charitable organizations exceeding \$50,000 per year; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of outstanding service to the State of Alabama and in deep gratitude for significant contributions to the well-being of the Childersburg and state communities, we hereby most highly commend the Kimberly Clark Corporation and Kimberly Clark-Childersburg.

BE IT FURTHER RESOLVED, That in token of our sincere appreciation and esteem, copies of this resolution shall be forwarded to company officials on behalf of Kimberly Clark and its employees.

On motion of Senator Teague, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Mitchem offered the following Senate Resolution, to-wit:

S. R. 25. COMMENDING MARSHALL TECHNICAL SCHOOL, GUNTERSVILLE, ALABAMA, AND INSTRUCTOR JOHN BOLTON.

Which was adopted.

Senator Mitchem offered the following Senate Joint Resolution, to-wit:

S. J. R. 26. COMMENDING ARTHUR H. BAUGH OF ALBERTVILLE, ALABAMA, ON HIS DISTINGUISHED CAREER IN PUBLIC EDUCATION.

WHEREAS, in recognition of outstanding contributions to public education, the Legislature of Alabama expresses highest commendation of Arthur H. Baugh of Albertville, Alabama, whose effective date of retirement is July 1986; and

WHEREAS, Mr. Baugh, a native Alabamian, received the B.S. and M.S. degrees from the University of Southern Mississippi, whereupon he accepted the position of head football coach at Pearl High School in Jackson, Mississippi, and later served as superintendent of that school system; and

WHEREAS, following a ten-year tenure with the Mississippi public schools, Mr. Baugh returned to his native state as principal of Albertville High School and, through dedicated service for the past 20 years in this responsible administrative position, has distinguished himself as one of our state's most prominent educators; and

WHEREAS, Mr. Baugh, in addition to the weighty responsibilities of his professional career, has further assumed leadership involvement in numerous of the civic, charitable and religious affairs of the community; and

WHEREAS, he is a member of the National and Alabama Education Associations, the National Association of Secondary School Principals, the Albertville First Baptist Church, the Lions Club, American Legion and the Albertville Chamber of Commerce; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly praise Arthur H. Baugh of Albertville, Alabama, on his distinguished career in public education, and direct that he receive a copy of this commendatory resolution that he and his wife, the former Modean Mayes of Albertville, and other family members may know of our deep admiration and warmest personal regard.

On motion of Senator Mitchem, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Corbett offered the following Senate Resolutions, to-wit:

S. R. 27. COMMENDING KATHLEEN YVETTE McDUFFIE, BULLOCK COUNTY JUNIOR MISS.

Also:

S. R. 28. COMMENDING TAMMY MICHELLE PHILLIPS, BARBOUR COUNTY JUNIOR MISS.

Also:

S. R. 29. COMMENDING ALISSA DAWN ANTHONY, RUSSELL COUNTY JUNIOR MISS.

Also:

S. R. 30. COMMENDING GINA PATRICE CARTER, MACON COUNTY JUNIOR MISS.

Which were adopted.

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 31. COMMENDING PAUL J. POPE, JR., OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING ACHIEVEMENT AND CONTRIBUTIONS TO THE BUSINESS COMMUNITY.

Also:

S. R. 32. COMMENDING MR. GENE EDWARD SATTERFIELD.

Which were adopted.

Senator Foshee offered the following Senate Resolution, to-wit:

S. R. 33. EXPRESSING GRATITUDE AND BEST WISHES TO OUR FRIEND, BILLY ELEY, IN HIS NEW POSITION.

Which was adopted.

Senator Foshee then offered the following Senate Joint Resolution, to-wit:

S. J. R. 34. CLARIFICATION OF THE CERTIFICATE OF NEED LAW.

WHEREAS, the Legislature passed the Alabama Certificate of Need Law, Ala. Code § 22-21-265 et seq. (1975); and

WHEREAS, the Legislature has become aware that a dispute has arisen as to its intent in the passage of said law as it relates to those home health agencies in existence and in operation prior to November 1, 1979; and

WHEREAS, it is and has been the intent of the Legislature in enacting said law, neither to rescind any rights held by such home health agencies prior to November 1, 1979, nor to limit the potential geographical scope of operations of such home health agencies except as provided in Ala. Code § 22-21-263(a) (1)-(4) (1975); and

WHEREAS, the definition of new institutional health services contained in the statute at Ala. Code § 22-21-263(a) (1)-(4) (1975) does not designate the geographical expansion of a home health agency as a new institutional

health service except insofar as any such expansion results in a capital expenditure in excess of \$600,000.00 (indexed) or results in the offering of health services not offered on a regular basis through the facility in the twelve month period prior to the expansion; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it is and was the intent of the Legislature in enacting the Alabama Certificate of Need Law, Ala. Code § 22-21-265 et seq. (1975), not to limit the expansion of existing health services into additional geographic areas by home health agencies operating in Alabama prior to November 1, 1979, unless the expansion into any particular geographical area not previously served results either in a capital expenditure in excess of \$600,000.00 (indexed), or the offering of health services which previously have not been offered on a regular basis through such home health agencies within the twelve months immediately prior to the expansion.

On motion of Senator Foshee, the Rules were suspended and the Resolution was adopted by the Senate.

### **REPORT OF THE STATE JUDICIAL COMPENSATION COMMISSION TO THE 1986 REGULAR SESSION OF THE ALABAMA LEGISLATURE**

The State Judicial Compensation Commission hereby files its report to the 1986 Regular Session of the Legislature of the State of Alabama.

The Commission has met and considered the matter of recommending the salary to be paid from the state treasury for all judges except probate judges.

The Commission notes that the most recent salary adjustment for circuit judges and state employees was on October 1, 1984, the effective date of the last cost-of-living raise. Since that date the salary paid by the state to circuit judges has remained at \$52,800.

Accordingly, it is recommended to the legislature that the salaries of justices and judges of the appellate and district courts to be paid from the state treasury be fixed as heretofore designated by law; and that the salaries of the circuit court judges to be paid from the state treasury be fixed as follows:

#### Circuit Court Judges

—\$52,800 plus whatever percentage increase or upward pay adjustment is provided to state employees generally at the 1986 regular session of the Legislature of the State of Alabama; but in any event, an amount not lower than 10 percent of the current salary paid to a circuit judge from the state treasury. This salary shall become effective on October 1, 1986.

ADOPTED by the affirmative vote of the below named five members of the State Judicial Compensation Commission.

SUBMITTED to the Legislature of Alabama on this 16th day of January, 1986.

J. CLEWIS TRUCKS,  
Chairman.  
BROOX G. GARRETT,  
CHARLES R. ADAIR, JR.,  
SYLVESTER JONES,  
FINIS E. ST. JOHN, IV.

This to to certify that the above report was filed with the Senate of Alabama office on the 16th day of January 1986.

AMELIA D. LAWLEY,  
Chief Clerk.

The foregoing report was read and referred to the Standing Committee on Rules.

### MOTION TO ADJOURN

Senator deGraffenried moved that when the Senate adjourns today, it adjourn to meet again on Thursday, January 23, 1986, at 10 o'clock A.M., which motion was adopted.

### MOTION IN WRITING

Senator Dial offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 87, on page 9 of the Third Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 87, referred to the Standing Committee on Rules for placement on the Consent Calendar.

### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I hereby transmit to you a message from the Governor relative to an appointment as a Brigadier General, Adjutant General Corps, Assistant Adjutant General.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.



**REGULAR SESSION  
3rd Day**

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To the Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Colonel Daniel A. Linton, Jr.  
P. O. Box 3711  
Montgomery, Alabama

as a Brigadier General, Adjutant General Corps, Assistant Adjutant General.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from his Excellency, the Governor, relative to a promotion to the rank of Brigadier General, Adjutant General Corps, Assistant Adjutant General, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama A & M University Board of Trustees.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Herbert Gray, Ph.D.  
Huntsville United Research  
and Technology, Inc.  
Huntsville, AL 35810

as a member of the Alabama A & M University Board of Trustees.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama A & M University Board of Trustees, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Board of Trustees for the Alabama Institute for the Deaf and Blind.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mrs. Rachel Arrington  
1245 Mims Street, SW  
Birmingham, AL 35211

as a member of the Board of Trustees for the Alabama Institute for the Deaf and Blind.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR' MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Institute for the Deaf and Blind Board of Trustees, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Board of Trustees for the Alabama Institute for the Deaf and Blind.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Charles Wilson  
P. O. Box 519  
Talladega, AL 35160

as a member of the Board of Trustees for the Alabama Institute for the Deaf and Blind.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Institute for the Deaf and Blind Board of Trustees, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The State of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Board of Trustees for the Alabama Institute for the Deaf and Blind.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mrs. Peggy C. Estes  
Pump Station Road  
Eufaula, AL 36027

as a member of the Board of Trustees for the Alabama Institute for the Deaf and Blind.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

#### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Institute for the Deaf and Blind Board of Trustees, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE GOVERNOR

To The State of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Board of Trustees for the Alabama Institute for the Deaf and Blind.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. William Smith  
P. O. Box 787  
Athens, Al 35611

as a member of the Board of Trustees of the Alabama Institute for the Deaf and Blind.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

#### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Institute for the Deaf and Blind Board of Trustees, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alcoholic Beverage Control Board.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Bill J. Dukes  
2210 12th Avenue, S.E.  
Decatur, AL 35601

as a member of the Alcohol and Beverage Control Board.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alcoholic Beverage Control Board, was read and referred to the Standing Committee on rules.

**MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Athletic Commission.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Dan McCoy  
206 Eustis Avenue  
Huntsville, AL 35801

as a member of the Athletic Commission.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

#### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Athletic Commission, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE GOVERNOR

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Banking Board.

Respectfully submitted,  
ELVIN STANTON.  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Jewrette Yovonne Johnson  
417 North 20th Street  
Birmingham, AL 35203

as a member of the Banking Board.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Banking Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Banking Board.

Respectfully submitted,

ELVIN STANTON  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Whit Armstrong  
The Citizens Bank  
P. O. Box 900  
Enterprise, Al 36330

as a member of the Banking Board.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Banking Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Banking Board.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. A. M. Grimsley, Jr.  
The First National Bank  
Fayette, AL 35555

as a member of the Banking Board.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Banking Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Credit Union Board.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.



**REGULAR SESSION  
3rd Day**

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To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Helen F. Thompson  
109 South Cedar Street  
Mobile, AL 36602

as a member of the Credit Union Board.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Credit Union Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Credit Union Board.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Albert Elvis Williams  
1911 Orman Street  
Muscle Shoals, AL 35126

as a member of the Credit Union Board.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Credit Union Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Credit Union Board.

Respectfully submitted

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Thomas Light  
6052 Tyler Loop Road  
Pinson, AL 35126

as a member of the Credit Union Board.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Credit Union Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the governor relative to an appointment to the Credit Union Board.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

**REGULAR SESSION  
3rd Day**

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To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Sarah G. Norred  
768 Williamson Road  
Montgomery, AL 36106

as a member of the Credit Union Board.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Credit Union Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Credit Union Board.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. John R. Stephenson  
1712 Valpar Drive  
Birmingham, AL 35226

as a member of the Credit Union Board.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Credit Union Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Credit Union Board.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Charles Therrell  
203 North Gould Avenue  
Whistler, AL 36612

as a member of the Credit Union Board.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR' MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Credit Union Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Credit Union Board.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

**REGULAR SESSION**  
**3rd Day**

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To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Thomas Braswell  
804 Federal Drive  
Montgomery, AL 36109

as a member of the Credit Union Board.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Credit Union Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Credit Union Board.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

James D. Stephens, President  
Tuscaloosa Teachers' Credit Union  
1100 21st Street, East  
Tuscaloosa, AL 35401

as a member of the Credit Union Board.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Credit Union Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Credit Union Board.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Gene S. Mauldin  
Alabama Telco Credit Union  
3613 6th Avenue S  
Birmingham, AL

as a member of the Credit Union Board.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Credit Union Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Credit Union Board.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Robert McSwain  
Alabama State Employees  
Credit Union  
Montgomery, AL 36130

as a member of the Credit Union Board.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Credit Union Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Crime Victims Compensation Committee.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Wilby Wallace  
Department of Corrections  
101 South Union Street  
Montgomery, AL 36130

as a member of the Crime Victims Compensation Commission.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Crime Victims Compensation Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Crime Victims Compensation Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mrs. Miriam Shehane  
P. O. Box 116  
Clio, AL 36017

as a member of the Crime Victims Compensation Commission.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Crime Victims Compensation Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Crime Victims Compensation Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.



To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Bob Bryant  
3878 Marie Cook Drive  
Montgomery, AL 36109

as a member of the Crime Victims Compensation Commission.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Crime Victims Compensation Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Environmental Management Commission.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Dr. John H. Winston, Jr.  
1156 Oak Street  
Montgomery, AL 36108

as a member of the Environmental Management Commission.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Environmental Management Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Environmental Management Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Stanley L. Graves  
One Walnut Road  
Sylacauga, AL 35150

as a member of the Environmental Management Commission.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Environmental Management Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Farmers Market Authority.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Earl Goodwin  
Box 886  
Selma, AL 36701

as a member of the Farmers Market Authority.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Farmers Market Authority, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE GOVERNOR

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Farmers Market Authority.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Gerald Aplin  
Route Five  
Dothan, AL 36301

as a member of the Farmers Market Authority.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Farmers Market Authority, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Forestry Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Jack Hopper  
Route One  
Eva, AL 35624

as a member of the State Forestry Commission.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Forestry Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Forestry Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Richard Porterfield  
P. O. Box 250  
Courtland, AL 35618

as a member of the State Forestry Commission.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Forestry Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Forestry Commission.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. James B. Neighbors  
P. O. Box 37  
Autaugaville, AL 36003

as a member of the State Forestry Commission.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Forestry Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama Educational Television Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Ms. Sarah Summerville  
7716 D East Ridge Drive  
Birmingham, AL 35210

as a member of the Alabama Educational Television Commission.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Educational Television Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Board of Appeals for Unemployment Compensation.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Frank Parker  
745 Bentley Drive  
Birmingham, AL 35213

as a member of the Board of Appeals for Unemployment Compensation.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Board of Appeals for Unemployment Compensation, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE GOVERNOR

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Board of Appeals for Unemployment Compensation.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Ken Underwood, Jr.  
3125 Old Farm Road  
Montgomery, AL 36111

as a member of the Board of Appeals for Unemployment Compensation.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Board of Appeals for Unemployment Compensation, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama Commission on Higher Education.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mrs. Katie Espy  
2029 Vaughn Lane  
Montgomery, AL 36109

as a member of the Alabama Commission on Higher Education.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Commission on Higher Education, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Foreign Trade Relations Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.



To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Michael G. Griffin  
1661 Gilmer Avenue  
Montgomery, AL 36105

as a member of the Foreign Trade Relations Commission,

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Foreign Trade Relations Commission, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE GOVERNOR

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Board of Examiners of Landscape Architects.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To the Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Robert E. Enoch  
P. O. Box 7528  
Birmingham, AL 35223

as a member of the Board of Examiners of Landscape Architects.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Board of Examiners of Landscape Architects, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Board of Examiners of Landscape Architects.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Ms. Harvilee P. Harbarger  
1415 East Olive Drive, S.E.  
Huntsville, AL 35801

as a member of the Board of Examiners of Landscape Architects.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Board of Examiners of Landscape Architects, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Board of Examiners of Landscape Architects.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

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To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Terry C. Planché  
74 North Hathaway Road  
Mobile, AL 36608

as a member of the Board of Examiners of Landscape Architects.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Board of Examiners of Landscape Architects, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Pardons and Paroles Board.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Ray Morrow  
Route 6, Box 429  
Guntersville, AL 35976

as a member of the Pardons and Paroles Board.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Pardons and Paroles Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Surface Mining Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Robert A. Jones, Jr.  
409 21st Street, North  
Birmingham, AL 35203

as a member of the Surface Mining Commission.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Surface Mining Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Surface Mining Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

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To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Clyde P. White  
510 Villa Esta Lane  
Forestdale, AL 35214

as a member of the Surface Mining Commission.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Surface Mining Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Surface Mining Commission.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Samuel M. Hill  
Route One  
Fosters, AL

as a member of the Surface Mining Commission.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Surface Mining Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama Securities Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. James D. Pruett  
P. O. Box 29  
Gadsden, AL 35902

as a member of the Alabama Securities Commission.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Securities Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama Securities Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

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To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Marcus J. Wolf, CPA  
P. O. Drawer 1389  
Montgomery, AL 36102

as a member of the Alabama Securities Commission.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Securities Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama State Docks Advisory Committee.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Honorable Earl Goodwin  
P. O. Box 886  
Selma, AL 36701

as a member of the Alabama State Docks Advisory Committee.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama State Docks Advisory Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama State Docks Advisory Committee.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

George Lewis Bailes  
4214 Sharpesburg Drive  
Birmingham, AL 35203

as a member of the Alabama State Docks Advisory Committee.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama State Docks Advisory Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama State Docks Advisory Committee.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.



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To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Juanita B. Sales  
5106 Sunrise Terrace, NW  
Huntsville, AL 35804

as a member of the Alabama State Docks Advisory Committee.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama State Docks Advisory Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama State Docks Advisory Committee.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Honorable Charles Bishop  
P. O. Box 2328  
Jasper, AL 35501

as a member of the Alabama State Docks Advisory Committee.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama State Docks Advisory Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama State Docks Advisory Committee.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Donald W. Stewart  
1131 Leighton Avenue  
Anniston, AL 36201

as a member of the Alabama State Docks Advisory Committee.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama State Docks Advisory Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama State Docks Advisory Committee.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

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To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Ben C. Collier  
2745 Gunter Park Drive West  
Montgomery, AL 36224

as a member of the Alabama State Docks Advisory Committee.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama State Docks Advisory Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama State Docks Advisory Committee.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. M. C. Farmer  
307 East Delwood Drive  
Mobile, AL 36608

as a member of the Alabama State Docks Advisory Committee.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama State Docks Advisory Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama State Docks Advisory Committee.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Thomas L. Glidewell  
Seafarers International Union  
1640 Dauphin Island Parkway  
Mobile, AL 36605

as a member of the Alabama State Docks Advisory Committee.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama State Docks Advisory Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mrs. Mertice Miles  
Route 11, Box 316  
Florence, AL 35630

as a member of the State Textbook Committee.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE GOVERNOR

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mrs. Lisa Michaelson  
2825 Cherokee Road  
Birmingham, AL 35223

as a member of the State Textbook Committee.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mrs. Nedra Smelser  
Route 3, Box 417  
Tuscaloosa, AL 35401

as a member of the State Textbook Committee.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Ms. Mansel G. Daniels  
5550 Government Blvd. #10  
Mobile, AL 36609

as a member of the State Textbook Committee.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE GOVERNOR

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Ms. Donna L. Carstarthen  
1605 West Highland  
Selma, AL 36701

as a member of the State Textbook Committee.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mrs. Donni Ingram  
Pike County Chamber of Commerce  
500 Elm Street  
Troy, AL 36081

as a member of the State Textbook Committee.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.



REGULAR SESSION  
3rd Day

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To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mrs. Aby Self  
306 Greenough Road  
Fairhope, AL 36532

as a member of the State Textbook Committee.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mrs. Roland Murphree  
1010 Park Avenue  
Oneonta, AL 35121

as a member of the State Textbook Committee.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Nathaniel Davis  
2121 Ferron Avenue  
Anniston, AL 36201

as a member of the State Textbook Committee.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Troy State University Board of Trustees.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

REGULAR SESSION  
3rd Day

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To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Charles Martin  
1716 Camellia Drive, S.W.  
Decatur, AL 35601

as a member of the Troy State University Board of Trustees.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Troy State University Board of Trustees, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Tennessee Valley Exhibit Commission.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Ralph Ferguson  
Route Two  
Moulton, AL 35650

as a member of the Tennessee Valley Exhibit Commission.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Tennessee Valley Exhibit Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Tennessee Valley Exhibit Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

The Honorable Tom Burleson  
1740 Lake Hill Drive, NW  
Cullman, AL 35055

as a member of the Tennessee Valley Exhibit Commission.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Tennessee Valley Exhibit Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Tennessee Valley Exhibit Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

REGULAR SESSION  
3rd Day

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To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. George McBurney  
463 Palisade Drive  
Florence, AL 35630

as a member of the Tennessee Valley Exhibit Commission.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Tennessee Valley Exhibit Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Tennessee Valley Exhibit Commission.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Ed F. Mauldin  
P. O. Box B  
Muscle Shoals, AL 35662

as a member of the Tennessee Valley Exhibit Commission.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Tennessee Valley Exhibit Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Tennessee Valley Exhibit Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Ms. Elizabeth Ward  
2708 18th Avenue  
Haleyville, AL 35965

as a member of the Tennessee Valley Exhibit Commission.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Tennessee Valley Exhibit Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Tennessee Valley Exhibit Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Richard J. Lindsey  
Route 2, Box 394  
Centre, AL 35960

as a member of the Tennessee Valley Exhibit Commission.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Tennessee Valley Exhibit Commission, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE GOVERNOR

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Tennessee Valley Exhibit Commission.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Maynard Layman  
c/o The Decatur Daily  
201 1st Avenue, SE  
Decatur, AL 35601

as a member of the Tennessee Valley Exhibit Commission.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Tennessee Valley Exhibit Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Tennessee Valley Exhibit Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Carlus P. Page  
301 Bynum Avenue  
Scottsboro, AL 35768

as a member of the Tennessee Valley Exhibit Commission.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Tennessee Valley Exhibit Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Tennessee Valley Exhibit Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.



REGULAR SESSION  
3rd Day

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To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Roscoe Simmons  
220 East Glade Road  
Anniston, AL 36102

as a member of the Tennessee Valley Exhibit Commission.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Tennessee Valley Exhibit Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Tennessee Valley Exhibit Commission.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Richard Griffin  
P. O. Box 617  
Fort Payne, AL 35967

as a member of the Tennessee Valley Exhibit Commission.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Tennessee Valley Exhibit Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Tennessee Valley Exhibit Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Joe Lampley  
Central Bank Building  
Suite 636  
Huntsville, AL 35801

as a member of the Tennessee Valley Exhibit Commission.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Tennessee Valley Exhibit Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Tennessee Valley Exhibit Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

REGULAR SESSION  
3rd Day

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To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Edgar King, Jr.  
Route 2, Box 902  
Union Grove, AL 35175

as a member of the Tennessee Valley Exhibit Commission.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Tennessee Valley Exhibit Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Tennessee Valley Exhibit Commission.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mrs. Margaret Cunningham  
P. O. Drawer N  
Red Bay, AL 35582

as a member of the Tennessee Valley Exhibit Commission.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Tennessee Valley Exhibit Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Tennessee Valley Exhibit Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Jerry Alford  
P. O. Box 267  
Gadsden, AL 35999

as a member of the Tennessee Valley Exhibit Commission.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Tennessee Valley Exhibit Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Tennessee Valley Exhibit Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

REGULAR SESSION  
3rd Day

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To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Ms. Betty Ruth  
204 Kings Drive  
Athens, AL 35611

as a member of the Tennessee Valley Exhibit Commission.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Tennessee Valley Exhibit Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Tennessee Valley Exhibit Commission.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Ms. Roberta Goggins  
Route 5, Box 262  
Hamilton, AL 35570

as a member of the Tennessee Valley Exhibit Commission.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Tennessee Valley Exhibit Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Tennessee Valley Exhibit Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Honorable Frank Green  
Probate Judge  
Blount County  
P. O. Box 668  
Oneonta, AL 35121

as a member of the Tennessee Valley Exhibit Commission.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Tennessee Valley Exhibit Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Tennessee Valley Exhibit Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

REGULAR SESSION  
3rd Day

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To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Ms. Karen Lynn Knight  
P. O. Box 189  
Haleyville, AL 35565

as a member of the Tennessee Valley Exhibit Commission.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Tennessee Valley Exhibit Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama Trust Fund Board.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To the Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Charles M. Meriwether  
4421 Corinth Drive  
Birmingham, AL 35213

as a member of the Alabama Trust Fund Board.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Trust Fund Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama Trust Fund Board.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

James C. Lee, Sr.  
P. O. Box 10046  
Birmingham, AL 35620

as a member of the Alabama Trust Fund Board.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Trust Fund Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama Trust Fund Board.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.



REGULAR SESSION  
3rd Day

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To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Louis J. Willie  
Citizens Federal Savings Bank  
Birmingham, AL 35203

as a member of the Alabama Trust Fund Board.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Trust Fund Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama Trust Fund Board.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Joseph C. Moquin  
122 Scenic Drive  
Madison, AL 35758

as a member of the Alabama Trust Fund Board.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Trust Fund Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama Trust Fund Board.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Julian Maddox  
East First Avenue  
Luverne, AL 36409

as a member of the Alabama Trust Fund Board.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Trust Fund Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama Trust Fund Board.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

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To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Winton M. Blount  
Chairman and C.E.O.  
Blount, Inc.  
P. O. Box 949  
Montgomery, AL 36192

as a member of the Alabama Trust Fund Board.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Trust Fund Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Tuskegee University Board of Commissioners.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To the Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

The Honorable Thomas Reed  
P. O. Box EE  
Tuskegee Institute, AL 36088

as a member of the Tuskegee University Board of Commissioners.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Tuskegee University Board of Commissioners, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Tuskegee University Board of Commissioners.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To the Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Willie Kirk, Jr.  
Route One, Box 104  
Tuskegee, AL 36083

as a member of the Tuskegee University Board of Commissioners.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Tuskegee University Board of Commissioners, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Tuskegee University Board of Commissioners.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

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To the Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Taylor Hardin  
P. O. Box 44  
Central Bank of the South  
Montgomery, Alabama 36195

as a member of the Tuskegee University Board of Commissioners.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Tuskegee University Board of Commissioners, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the University of Montevallo Board of Trustees.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To the Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Ms. Anne Baines  
320 4th Avenue West  
Oneonta, AL 35121

as a member of the Board of Trustees of the University of Montevallo.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the University of Montevallo Board of Trustees, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the University of South Alabama Board of Trustees.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 15th day of January, 1986.

To the Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Dr. John E. Foster  
Box 999  
Foley, AL 36535

as a member of the University of South Alabama Board of Trustees.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 15th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the University of South Alabama Board of Trustees, was read and referred to the Standing Committee on Rules.

**RESOLUTIONS**

Senator Bedsole offered the following Senate Resolution, to-wit:

S. R. 35. COMMENDING KATHERINE FARRAR LONG, MOBILE COUNTY JUNIOR MISS.

Which was adopted.

Senators Langford and Dixon offered the following Senate Resolution, to-wit:

S. R. 36. COMMENDING MISS EMMA MANNING, MONTGOMERY, ALABAMA, ON THE OCCASION OF HER 80TH BIRTHDAY.

Which was adopted.

Senators Langford and Dixon then offered the following Senate Joint Resolution, to-wit:

S. J. R. 37. COMMENDING MISS EMMA MANNING, MONTGOMERY, ALABAMA, ON THE OCCASION OF HER 80TH BIRTHDAY.

WHEREAS, on the memorable occasion of the 80th birthday of Miss Emma Manning, Montgomery, Alabama, this legislative assemblage takes great pleasure in expressing sentiments of commendation and congratulations; and

WHEREAS, Miss Manning is a native of Minneapolis, Minnesota, born January 29, 1906, to Mr. and Mrs. Percy Manning; following her mother's death, Miss Manning was reared by her grandmother, Mrs. Rebecca Pickney, a well-known and outstanding Christian citizen of Montgomery, Alabama; and

WHEREAS, she was educated at Montgomery Industrial School (Miss White's School) and in the public schools of Minnesota and Cincinnati, Ohio, and has resided permanently in Montgomery since 1929; and

WHEREAS, Miss Manning is an active member of St. John's African Methodist Episcopal Church where she has been Sunday School Secretary for more than 15 years; secretary of the St. John's Working Club for many years; and an active member of the Missionary Society; and

WHEREAS, she further is an active member of the Missionary Society of Dexter Avenue-King Memorial Baptist Church, and is involved in such civic and community affairs as the Red Cross, United Appeal, American Lung Association, political drives and neighborhood youth activities; and

WHEREAS, an avid traveller and participant in senior citizen endeavors, Miss Manning is a member of Houston Hill Senior Citizens Organization and has toured many large cities throughout the United States, including Hawaii, Canada and the Caribbean; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That on the occasion of her 80th birthday, we hereby most highly commend and congratulate Miss Emma Manning of Montgomery, Alabama, whom we hold in highest regard and to whom a copy of this resolution shall be presented.

On motion of Senator Langford, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Dixon offered the following Senate Resolution, to-wit:

S. R. 38. COMMENDING ELMORE BARTLETT INSCOE, MONTGOMERY COUNTY JUNIOR MISS.

Which was adopted.

Senators Little, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Horn, Langford, Menton, Mitchem, Parsons, Sanders, Smith (B), Smith (J), Strong and Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 39. MOURNING THE DEATH OF FORMER STATE REPRESENTATIVE BROOKS HINES OF BREWTON, ALABAMA.

WHEREAS, it is with deep sadness and regret that the Legislature of Alabama records the untimely death of our friend and former colleague, Brooks Hines of Brewton, Alabama, on December 7, 1985, at the age of just 38 years; and

WHEREAS, Mr. Hines served in the Alabama House of Representatives from 1974 until 1982, electing not to seek a third term due to chronic pain resulting from a back injury; and

WHEREAS, during his second legislative term, Representative Hines served as chairman of the Legislature's Prison Oversight Committee through which capacity he was instrumental in securing the necessary funds for much-needed improvement in the Alabama Prison System; and

WHEREAS, Mr. Hines, who was a graduate of Washington and Lee University, was serving at the time of his death as vice president of Hines Realty, chairman of the board of Escambia Insurance Agency and as a member of the Brewton City Council; he also was involved as a coach with youth sports and was chairman of the Brewton-East Brewton United Way; and

WHEREAS, Brooks Hines was indeed a distinguished public servant and outstanding community leader, but was first and foremost devoted to his family and many, many friends who have suffered a deep and inconsolable loss; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of our friend, Brooks Hines of Brewton, Alabama, and extend deepest sympathy to his wife, Virginia Wilder Hines, and their children, Robert, Christopher, Ashley and Elizabeth; his parents, Mr. and Mrs. Jack Hines; and to other family members, whose sorrow we sincerely share and for whom copies of this resolution shall be provided.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Little, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Horn, Langford, Menton, Mitchem, Parsons, Sanders, Smith (B), Smith (J), Strong and Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 40. COMMENDING AUBURN UNIVERSITY'S BO JACKSON AS THE RECIPIENT OF THE 1985 HEISMAN TROPHY.

WHEREAS, in highest commendation, the Legislature of Alabama notes the selection of Bo Jackson of Auburn University as the recipient of the 1985 Heisman Trophy, an honor that has brought national prominence to his University and to the entire State of Alabama; and

WHEREAS, as the recipient of the coveted Heisman Trophy, Bo Jackson is acknowledged as the most outstanding college football player in the nation and he has accepted his fame with great dignity and humility; and

WHEREAS, throughout his collegiate career, Bo Jackson achieved unparalleled success and included among his Auburn statistics, considered for the Heisman, were 4,303 yards rushing, 21 100-yard games, five 200 yard



games, 44 touchdowns, most rushing touchdowns, most rushing in a season, most points in a career and highest average per carry; and

WHEREAS, it is further to be noted that Bo Jackson is only the second Alabamian ever to receive the Heisman Trophy and the first since 1971, with the selection of Pat Sullivan, also of Auburn University; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend and congratulate Bo Jackson of Auburn University as the recipient of the 1985 Heisman Trophy, the highest possible honor for a college football player.

BE IT FURTHER RESOLVED, That in token of our regard and in appreciation for the honor he has brought to the State of Alabama, a copy of this resolution shall be forwarded to Bo Jackson, with copies also provided for appropriate presentation to Coach Pat Dye and to University President Dr. James Martin.

On motion of Senator Little, the rules were suspended and the Resolution was adopted by the Senate.

#### BUDGET ISOLATION RESOLUTION

Senator Cooley, B.I.R., S.B. 89, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bennett	Ellis	Menton
Aldridge	Cooley	Foshee	Mitchem
Amari	Corbett	Hand	Parsons
Bailey	Covington	Holmes	Smith (B)
Barron	Denton	Horn	Smith (J)
Bedford	Dial	Little	Teague
Bedsole	Dixon		

—25

Nays:

—0

#### REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 33. RECALLING THE 1986 CALENDAR AND RE-ISSUE NEW ONES, INCLUDING THE BIRTHDAY OF MARTIN LUTHER KING, JR.

Senator Barron offered the following amendment to the Resolution, H. J. R. 33, to-wit:

#### AMENDMENT TO H. J. R. 33

Amend H. J. R. 33 Page 1, Lines 14 and 15, by striking out everything after the word "to" and insert in lieu thereof "insure that the 1987 calendars include the denotation of the birthday of Martin Luther King, Jr.

BE IT FURTHER RESOLVED That the cost estimated by the Legislative Fiscal Office to report calendars be appropriated to research for Cyle Cell Anemia by the Governor's Contingency Fund.

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On motion of Senator Hilliard, said amendment was laid on the table.

Yeas 26; Nays 3.

*Yeas:*

Senators:	Corbett	Foshee	Little	
Aldridge	Covington	Goodwin	Menton	
Amari	deGraffenried	Hand	Sanders	
Bedford	Denton	Hilliard	Smith (B)	
Bedsole	Dial	Holmes	Strong	
Bishop	Drinkard	Horn	Teague	
Cooley	Figures	Langford		—26

*Nays:*

Senators:	Bailey	Barron	Dixon	—3
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**MOTION TO ADJOURN LOST**

At 4:45 P.M., Senator deGraffenried moved that the Senate adjourn until Thursday, January 23, 1986, at 10 o'clock A.M., which motion was lost.

Yeas 12; Nays 16.

*Yeas:*

Senators:	Cooley	Denton	Foshee	
Amari	Covington	Dial	Hand	
Barron	deGraffenried	Dixon	Smith (B)	
Bedford				—12

*Nays:*

Senators:	Corbett	Holmes	Menton	
Aldridge	Drinkard	Horn	Sanders	
Bailey	Figures	Langford	Strong	
Bedsole	Hilliard	Little	Teague	
Bishop				—16

**FURTHER CONSIDERATION OF H. J. R. 33**

The Senate proceeded to further consideration of the Resolution, H. J. R. 33.

Senator Bedford offered the following amendment to the Resolution, H. J. R. 33, to-wit:

**AMENDMENT TO H. J. R. 33**

Amend H. J. R. 33 Page 1, Line 16, add the following after "Jr.",

"The total cost of this action shall be paid out of a prorated amount of each legislators salary."

**REPORT OF THE SUNSET REVIEW COMMITTEE**

January 14, 1986

TO: THE LEGISLATURE OF ALABAMA

The Sunset Committee pursuant to Code of Alabama, 1975, Section 41-20-4 submits this summary report of its investigation conclusions and recommendations for your consideration.

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The Committee has reviewed the operations of 8 state boards and agencies in detail and herein suggests recommendations we feel should be addressed by the Legislature. More detailed analysis as well as operational audits prepared by the Examiners of Public Accounts are on file with the Committee and will be available for your inspection upon request.

We trust that the recommendations we have made will provide for more efficient operation of state government.

Sincerely,

Danny Corbett, Chairman  
Sunset Committee

## I. INTRODUCTION

Pursuant to the Alabama Sunset Act Sections 41-20-1 through 41-20-16 Code of Alabama, 1975, the Sunset Committee entered upon its duties, held public hearings, received testimony from the public and all interested parties relating to the continued existence and functioning of 8 regulatory boards, agencies and/or commissions. In compliance with this statute, this report contains an overview of these 8 entities reviewed by the Committee and also recommendations as to the continuance, termination or modification of each of these entities.

The following procedure was used in the evaluation and review process:

1) Preparation of a special operational audit by the Department of Examiners of Public Accounts for each board, agency and commission.

2) Appearance by each board, agency and commission before a public hearing conducted by the Sunset Committee in which interested citizens also participated.

3) Development of preliminary recommendations based upon information gathered at such hearing.

4) Conduction of a follow-up hearing if necessary to discuss preliminary recommendations and possible effects.

5) Adoption by the Committee of final recommendations concerning each board agency or commission.

6) Adoption of legislation designed to implement final recommendations of the Sunset Committee.

## II. CONTINUATIONS

### BOARD OF DENTAL EXAMINERS OF ALABAMA

Statutory Provisions: Code of Alabama, 1975, Section 34-9-1 through 34-9-47 and 20-2-1 through 20-2-144.

#### Structure

5 members: Elected by licensed dentists residing and practicing in Alabama and consists of practicing dentists nominated by not less than ten Alabama licensed dentists.

#### Powers and Duties

The Board has the power and duty to adopt rules governing all aspects of the dental profession, including qualification and license requirements, sanitation, and Board regulations.

Also, the Board has the following powers and duties:

1. Conduct examinations
2. Issue licenses
3. Collect fees
4. Employ necessary personnel for administration and enforcement of the Act
5. Conduct hearings
6. Issue subpoenas
7. Suspend or revoke licenses

In addition, the Board has the duty to annually publish Board rules, the Dental Practice Act, and a list of licensees.

#### Status

The Sunset Committee received testimony from the Board concerning the composition of the Board of Dental Examiners. During last year's review of the Board, there were two areas of concern relating to 1) the fact that no black members were on the Board and 2) there were no dental hygienists on the Board even though this group is regulated by the Dental Examiners Board.

The testimony at this year's hearing indicated that there was now a black Board member and also a dental hygienist advisor to the Board, both elected earlier this year.

#### Recommendation

Continue the existence of the Board of Dental Examiners with no modifications.

### STATE BOARD OF REGISTRATION FOR FORESTERS

Statutory Provisions: Code of Alabama, 1975, Sections 34-12-1 through 34-12-37.

#### Structure

- 5 members: Appointed by the Governor for staggered five year terms.  
Must be members of the Society of American Foresters

#### Powers and Duties

- 1) Examination and Registration of applicants
- 2) Issuance, revocation and reinstatements of licenses
- 3) Collection of fees

#### Status

The Board of Registration of Foresters was created and has been functioning for the purpose of protecting the public by allowing only qualified foresters to engage in the practice of forestry in Alabama. The committee is satisfied that the Board is performing as intended by the statutes.

The Board has experienced a declining fund balance due in part to the inability to increase license and registration fees. As expenses have increased,

the Board has had to expend surplus funds carried over from prior years. As a result the Board has requested authority to increase fees as needed.

#### Recommendation

Continue the existence of the Board of Registration of Foresters with the following modifications:

- 1) Allow the Board to set license fees in an amount not to exceed \$100 annually
- 2) Allow the Board to charge an examination fee which will be set by the Board in an amount not to exceed \$50
- 3) Provide for notices to be given 3 months in advance of expiration of licenses which will now be September 30 of each year
- 4) Allow the Board to set replacement license fees in an amount not to exceed \$25
- 5) Allow for the increase in Board members per diem

#### STATE OIL AND GAS BOARD

Statutory Provisions: Code of Alabama, 1975, Sections 9-17-1 through 9-17-88 as amended.

#### Structure

- 3 members: Appointed by the Governor for 6 year staggered terms. Each member must be a resident and qualified voter of Alabama.

#### Powers and Duties

The Board has jurisdiction and authority over all persons and property necessary to administer and enforce effectively the provisions of the Oil and Gas Act. Such powers include:

- 1) Collection of data
- 2) Investigations and inspections
- 3) Examinations of properties, leases, papers, books and records
- 4) Authority to examine, check, test and gauge oil and gas wells, tanks, refineries and modes of transportation
- 5) Conduction of hearings
- 6) Authority to require the keeping of records and making of reports

#### Status

The State Oil and Gas Board presented testimony to the Committee focusing on the importance of the oil and gas industry to the State of Alabama and also on the expectations for future revenue from the industry.

Alabama has recently leased several off-shore tracts of land to major oil companies resulting in millions of dollars for the state. This increase in activity has enhanced the importance of the role of the Oil and Gas Board to our State.

The Committee was satisfied that the Board is performing as provided by statute and was very complimentary of the assistance provided by the Board on several recent legislative changes in this area of the law.

#### Recommendation

Continue the existence of the State Oil and Gas Board with no modifications.

#### RADIATION CONTROL AGENCY-RADIATION ADVISORY BOARD

Statutory Provisions: Code of Alabama, 1975, Sections 22-14-1 through 22-14-16 and the Code of Alabama, 1975, Sections 22-32-2 through 22-32-9.

#### Structure

9 members: Appointed by the Governor to staggered six year terms.

#### Powers and Duties

- 1) Develop and conduct evaluation programs to identify hazards of use and sources of ionizing radiation
- 2) Promulgate rules and regulations concerning the control and use of sources of ionizing radiation
- 3) Coordinate with other governmental agencies concerned with the control of sources of ionizing radiation
- 4) Accept and administer loans, grants, gifts or other funds from the federal government or other sources
- 5) Collect and disseminate information relating to control of sources of ionizing radiation
- 6) Collect application, license and inspection fees

#### Status

The Radiation Control Agency is actually the State Board of Health and the State Health Officer is the Director of the Agency. The functions of the Agency are performed by the Bureau of Radiological Health of the State Department of Public Health. The Radiation Advisory Board functions in an advisory capacity only.

The Sunset Committee was satisfied with the performance of the duties handled by the agency.

#### Recommendation

Continue the existence of the Radiation Control Agency-Radiation Advisory Board with no modification.

#### TERMINATIONS

#### SURFACE MINING COMMISSION

Statutory Provision: Code of Alabama, 1975, Sections 9-16-70 through 9-16-107.

#### Structure

7 members: Appointed by the Governor to staggered 5 year terms with the advice and consent of the Senate.

### Powers and Duties

Administration of the state's regulatory program for surface mining of coal in the state. Such powers include authority to require cessation of improper operations, suspend or revoke licenses, conduct hearings, request civil action against violators, assess penalties, promulgate rules and regulations, and require adequate recordkeeping by mining operators.

### Status

The Examiners of Public Accounts cited several problem areas associated with the Surface Mining Commission.

1) The Commission is currently experiencing a fund shortage due to several factors including the decline in federal funding and the depressed state of the coal industry in the state which has a direct bearing on the permit fees generated. General Fund appropriations have not been sufficient to off-set the decline in other fund sources.

2) The Surface Mining Commission is engaged in some of the same activities as the Department of Industrial Relations and the Department of Environmental Management. It has been suggested that consideration be given to merging some of these functions into one existing state agency.

3) Questionnaires returned by persons in the mining business indicate dissatisfaction with the operations of the Surface Mining Commission.

Extensive public hearings conducted by the Committee revealed that several mining operators felt that the Commission was discriminatory in many of their actions. Among the allegations made were 1) delays in the permitting process 2) adoptions of new rules and regulations without notice 3) improper inspections 4) unfair hearings before the Administrative Hearing Officer and 5) delays and inconsistencies in getting reclamation projects approved.

The Sunset Committee feels that since there seems to be a general dissatisfaction with the Commission and that the functions of the Surface Mining Commission can be implemented by the Federal counterpart, the Office of Surface Mining, the Commission should be terminated.

### Recommendation

Terminate the existence of the Surface Mining Commission.

### OTHER REVIEWS

The following Boards and/or Agencies were reviewed by the Sunset Committee even though they are not scheduled for termination in 1986. An affirmative vote by the Legislature is not required for the continued existence of these entities.

### DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Statutory Provisions: Code of Alabama, 1975, Sections 22-22A-1 through 22-22A-15. Also, 9-7-10 through 9-7-22, 22-22-1 through 22-22-14, 22-23-1 through 22-23-54, 22-24-1 through 22-24-12, 22-25-1 through 22-25-15, 22-27-1 through 22-27-27, 22-28-1 through 22-28-23, 22-30-1 through 22-30-24.

Structure (Environmental Management Commission):  
7 members: Appointed by Governor with advice  
and consent of Senate

Powers and Duties

Among the numerous powers and duties given the Board are:

- 1) Promulgate rules, regulations and standards
- 2) Develop environmental policy for the state
- 3) Issue, modify, suspend or revoke orders, citations, notices or violations
- 4) Administer grants from public and private agencies
- 5) Recover through civil action against violators the actual costs necessary to prevent or minimize any adverse effects on air, land, or water resources which may result from violations.

Status

The Alabama Department of Environmental Management was created in 1982 to consolidate several environmental programs in effect in Alabama at that time. Such programs were operated by commissions or boards and included 1) the Alabama Water Improvement Commission 2) Alabama Air Pollution Control Commission 3) Coastal Area Board 4) State Health Department (program for regulation of solid and hazardous waste and water quality of public water systems) 5) Board of Certification of Water and Waste Water Systems Personnel 6) Alabama Water Wells Standards Board and 7) the Environmental Health Laboratory of the State Health Department.

The Sunset Committee feels that this consolidation has been very beneficial to the state and is very pleased with the operation of the Department. Members from the business community participated in the public hearing on the Department and indicated that the Department was very diligent in handling the affairs entrusted to it and such participants were very complimentary of the Board.

Recommendation

Continue the existence of the Board with no modifications.

LICENSING BOARD FOR GENERAL CONTRACTORS

Statutory Provisions: Code of Alabama, 1975, Sections 34-8-1 through 34-8-27

Structure 5 members: Appointed by the Governor to 5 year terms

Power and Duties

- 1) Issuance and renewal of licenses
- 2) Conduction of examinations and investigation of applicants
- 3) Revocation of licenses for cause

Status

The Board was created by the Legislature to promote the general welfare by requiring that only properly qualified persons be admitted to engage in general contracting.



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The Board appeared before the Sunset Committee in an effort to obtain changes in the present statute by which they are governed. The Committee deemed the requests proper and felt that such would result in more efficient operation of the Board.

Recommendations

Continue the existence of the Licensing Board for General Contractors with the following modifications:

- 1) allow Board to collect fees on non-refundable basis
- 2) delete requirement that all meetings be held in Montgomery, Al.

BOARD OF HEATING AND AIR CONDITIONING CONTRACTORS

Statutory Provisions: Code of Alabama, 1975, Sections 34-31-18 through 34-31-34.

Structure 7 members: 3 appointed by the Governor  
2 appointed by the Lt. Governor  
2 appointed by the Speaker of the House

Powers and Duties

Although the Board has no enforcement powers to prevent uncertified or unregistered contractors from operating a business, it has the indirect means of accomplishing such an objective through non-licensure or non-certification. The Board's powers include the authority to fix fees for certification and renewal, require the posting of performance bonds, remove certification for cause, and investigate possible violations of the Act.

Status

The present Board of Heating and Air Conditioning Contractors is in the process of reviewing the procedures used by the Board in the past. It has requested additional authority from the Legislature which it predicts will clear up problem areas experienced by the Board.

The first suggested change is to re-open the time in which persons in the business prior to 1982 had to register with the Board. When the 1982 Act was passed it allowed all persons that were in the heating and air conditioning business 2 years prior to 1982 to register with the Board without taking the examination. This "grandfather clause" was only in effect for 1 year and many of the contractors let the 1 year time limitation expire without registering. This failure to register caused them to be required to take the exam. This suggested change will allow these persons who were eligible at that time to now register with the Board without examination.

The second suggestion by the Board was to be allowed to identify some criteria which would have to be met in order to be a service or repair contractor. Such authority is not adequately defined in present law.

The Sunset Committee concurred in both of these requests from the Board.

Recommendation

Continue the existence of the Board of Heating and Air Conditioning Contractors with the following modifications:

- 1) Extend the "grandfather clause" by deleting the 12 month period for registration with the Board. This will allow all persons engaged in

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the business for a period of 2 years prior to May 4, 1982, an opportunity to be certified without taking the examination.

- 2) Give the Board the authority to draft criteria for service and repair contractors.

The foregoing report was read and ordered spread upon the Journal.

**FURTHER CONSIDERATION OF H. J. R. 33**

The Senate proceeded to further consideration of the Resolution, H. J. R. 33. The question was on the Bedford amendment.

Senator Little offered the following substitute amendment to the Bedford amendment to the Resolution, H. J. R. 33, to-wit:

**SUBSTITUTE AMENDMENT TO BEDFORD AMENDMENT  
TO H. J. R. 33**

Amend H. J. R. 33, Page 1, Line 15, by inserting the following words after the word "Jr." requiring the cost of said new re-issue be absorbed by the budget of this fiscal year of the department responsible for the original printing thereof.

Which was adopted.

And the Bedford amendment, as amended by the Little substitute amendment, was then adopted.

Senator Dixon offered the following amendment to the Resolution, H. J. R. 33, as amended, to-wit:

**AMENDMENT TO H. J. R. 33, AS AMENDED**

Amend H. J. R. 33, as amended, Line 10, by inserting colored beige, brown and green after the word "State Calendar"

On motion of Senator Hilliard, said amendment was laid on the table.

And on motion of Senator Hilliard, the Resolution, H. J. R. 33, as amended, was then concurred in and adopted by the Senate.

**ADJOURNMENT**

At 5 o'clock P.M., on motion of Senator Hilliard, in accordance with Motion heretofore adopted, the Senate adjourned until Thursday, January 23, 1986, at 10 o'clock A.M.

**FOURTH LEGISLATIVE DAY**  
**THURSDAY, JANUARY 23, 1986**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

**PRAYER**

The Session was opened with prayer by the Reverend Wayne Burns, Pastor, Eastdale Baptist Church, Montgomery, Alabama.

**PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Brenda Henderson, Autaugaville High School, Autaugaville, Alabama.

**ROLL CALL**

Present:

Senators:	Cooley	Figures	Little
Aldridge	Corbett	Foshee	Menton
Amari	Covington	Goodwin	Mitchem
Bailey	deGraffenried	Hand	Parsons
Barron	Denton	Hilliard	Smith (B)
Bedford	Dial	Holmes	Smith (J)
Bedsole	Dixon	Horn	Strong
Bennett	Drinkard	Langford	Teague
Bishop	Ellis		

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**JOURNAL**

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE**

**ON RULES ON**

**REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

**COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Third Legislative Day was approved by the Senate.

**LEAVE OF ABSENCE**

On motion of Senator deGraffenried, leave of absence was granted Senators Cabaniss and Sanders for today.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 16. CONGRATULATING MR. AND MRS. C. T. PENNY OF BIRMINGHAM, ALABAMA, ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

H. J. R. 17. COMMENDING RETIRED POLICE CHIEF, ROBERT LOVE, OF PLEASANT GROVE, ALABAMA.

Also:

H. J. R. 25. RELATIVE TO MEETING DAYS.

Also:

H. J. R. 28. COMMENDING THE CLASS OF 1934, THOMAS GOODE JONES SCHOOL OF LAW.

Also:

H. J. R. 37. INVITING THE HONORABLE DAVID E. NETHING TO ADDRESS A JOINT SESSION OF THE ALABAMA LEGISLATURE.

Also:

H. J. R. 38. MOURNING THE DEATH OF EUGENE E. DUTTON OF HOLLYWOOD, ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF RESOLUTIONS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

**RECESS**

At 10:25 A. M., on motion of Senator deGraffenried, the Senate took a recess until the completion of the Joint Session, to hear the message of the Honorable David E. Nething.

**JOINT SESSION**

At 10:30 A.M., in accordance with H. J. R. 37, the Senate repaired to the Hall of the House of Representatives for the purpose of hearing the message of the Honorable David E. Nething.

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The Session was called to order by Lieutenant Governor Baxley, President and Presiding Officer of the Senate. A quorum of the Legislature was present.

Thereupon, the Honorable David E. Nething was escorted to the chair and delivered his message to the Legislature of Alabama.

The purpose of the Joint Session having been accomplished, at 11 o'clock A.M., the Senate reassembled in its chambers and was called to order by Lieutenant Governor Baxley. A quorum of the Senate was present.

**INTRODUCTION OF BILLS**

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Hilliard (With Notice and Proof):

S. 270. Relating to Class 1 municipalities; exempting such municipalities from the payment of all oil, gasoline and diesel fuel taxes of any nature whatsoever.

Committee on Finance and Taxation.

I hereby certify that the notice and proof is attached to the Bill, S. B. 270, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Hilliard:

S. 271. To amend Section 12-21-73, Code of Alabama 1975, which provides for judicial notice of certain documents, so as to provide that the circuit court shall take judicial notice of all municipal ordinances in its judicial circuit in certain cities.

Committee on Judiciary.

By Senators Dial and Bedsole:

S. 272. Proposing an amendment to the Constitution of 1901, prohibiting deficit spending and relating to the major appropriation acts and the legislative process therefor; and providing for emergencies.

Committee on Constitutional Revision.

The above Bill was read a first time at length as required by the Constitution.

By Senator Figures (With Notice and Proof):

S. 273. Relating to the City of Mobile in Mobile County; amending Section 11 of Act No. 243, H. 278, 1964 First Special Session (Acts 1964, p. 326), relating to the pension and relief system for police and fire department members, so as to include retired school traffic officers in said pension and relief system.

Committee on Local Legislation No. 3.

I hereby certify that the notice and proof is attached to the Bill, S. B. 273, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Smith (J):

S. 274. To further provide for criminal procedure and to prescribe the conditions for the issuance of warrants for night time searches and seizures; and to repeal Sections 15-5-8 and 15-5-12 of the Code of Alabama 1975, and all other conflicting laws relating to the issuance of warrants.

Committee on Judiciary.

By Senator Smith (J):

S. 275. To define and set the punishment for the crimes of: unlawful distribution of controlled substances in the first, second, and third degree; unlawful possession of a controlled substance in the first, second, and third degree; unlawful possession of marihuana in the first and second degree; unlawful possession of narcotic paraphernalia; to provide for forfeitures and seizures; to amend Code of Alabama 1975, §§20-2-2, 20-2-32, 20-2-72, 20-2-80, 20-2-81, and 20-2-93; to provide for the incorporation of Act No. 82-426, "The Imitation Controlled Substances Act," into this act; to provide for the incorporation of the provisions of this act into Title 13A of the Code of Alabama 1975; to repeal Code of Alabama 1975, §§20-2-70, 20-2-73, 20-2-75, 20-2-76, 20-2-77, and any and all other laws or parts of laws that conflict with this act, insofar as conduct occurring after the effective date of this act is concerned; to provide that this act is supplemental to other laws not inconsistent with this act and shall not be deemed to repeal such laws; to specify the conduct to which this act applies; to provide for severability; and, to provide an effective date.

Committee on Judiciary.

By Senator Denton:

S. 276. To amend Section 40-12-198 of the Code of Alabama 1975, as amended, relating to the marking of vehicles operated by private and for-hire carriers.

Committee on Commerce,  
Transportation, and Utilities.

By Senator Menton:

S. 277. To amend Section 13A-10-10 of the Code of Alabama 1975, relating to the crime of impersonating a public servant, so as to further define said crime and to increase the penalties for violation.

Committee on Judiciary.

By Senator Little:

S. 278. Relating to education; to require that character and citizenship education be taught at kindergarten, primary and secondary education levels in all public schools in Alabama; and to provide that the state board of education shall be responsible for the implementation of such education programs.

Committee on Education.

By Senator Little:

S. 279. To establish the Revenue Forecast Control Commission to project anticipated state revenue and to advise the legislature.

Committee on Finance and Taxation.

By Senator Foshee:

S. 280. To exempt the Volunteers of America from the payment of all state, county and municipal sales and use taxes.

Committee on Finance and Taxation.

By Senator Foshee:

S. 281. To provide further for the annual salary of the state treasurer, state auditor, commissioner of agriculture, and secretary of state of this state.

Committee on Finance and Taxation.

By Senator Langford:

S. 282. To provide that full-time employees and executive officers of the Alabama State Employees' Association and the Alabama Retired State Employees' Association may elect to become members of the Teachers' Retirement System of Alabama; also to provide that said associations and their employees shall assume all costs, both contributory and administrative, and no cost shall devolve upon the state.

Committee on Finance and Taxation.

By Senator Hilliard (With Notice and Proof):

S. 283. Relating to Class I Municipalities, to provide that the courts of this state shall take judicial notice of all municipal ordinances of such municipalities.

Committee on Judiciary.

I hereby certify that the notice and proof is attached to the Bill, S. B. 283, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Goodwin:

S. 284. To establish the offense of criminal enterprise for the purpose of trafficking in illegal drugs.

Committee on Judiciary.

By Senator Hilliard (With Notice and Proof):

S. 285. To authorize the incorporation of a public corporation to be known as the Alabama Civil Rights Institute to be located permanently in any Class I municipality, based on population according to the last federal decennial census designated by the legislature of Alabama and the classes of municipalities created thereby pursuant to Section 110 of the Constitution of Alabama, as amended, including the City of Birmingham, Alabama, provided such be a Class I municipality at the time of the adoption hereof; to define its purposes; to provide a Board of Trustees of said institute composed of some trustees who serve ex officio, and who may appoint alternates to serve in their stead as provided in the act, and trustees appointed by certain public officials and to define the terms of all such trustees; to provide for suits by and against the institute in the corporate name; to provide that neither the state, the counties thereof nor any municipality therein, shall

be liable for the debts or actions of the institute and that trustees thereof shall not be personally liable for actions of the institute or their actions as trustees, save to the institute itself; to provide for incorporation procedures and issuance of certificate of incorporation by the Secretary of State and the contents thereof; to provide for officers of the trustees, meetings thereof, and their compensation and reimbursement of expenses; to provide for the powers of the trustees including the power to acquire title to real and personal property or to lease the same, and to sell, lease or dispose of property surplus to its needs or to provide funds for carrying out its purposes; to provide to the institute such other powers as may be appropriate or necessary to carry out its purposes; to authorize the institute to solicit and accept donations of funds or property from private sources, to make such gifts and donations and all income and property of the institute tax exempt and deductible on state income tax returns, and to require trustees to comply with laws and regulations to make such deductible for federal income tax purposes; to authorize the state, its counties and municipalities therein to appropriate funds to the institute; to authorize the institute to contract and make cooperative agreements with federal, state and local governments and agencies thereof, and with private or public corporations, associations or individuals for any purpose of the institute; to authorize the institute to hire, or contract for, services of persons to perform certain tasks under such rules and regulations as the trustees may adopt; to require the institute to make annual reports to the Governor, the presiding officers of the legislature and other officials and persons; to make the provisions of the act severable; to repeal laws in conflict herewith; and to provide the effective date of the act.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 285, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Foshee:

S. 286. To provide for cost-of-living increases in the retirement benefits of retired employees of certain public hospitals and related facilities; to provide that the granting of such increases shall be at the option of the county governing body of the county in which such hospital or facility existed and the cost thereof shall be paid by such county.

Committee on Finance and Taxation.

By Senators Aldridge, Cooley, Ellis, Smith (J), Bedsole, Bishop, Bailey, Figures, Horn, Goodwin, and Little:

S. 287. To provide that the legislature shall continue the surface mining reclamation commission regardless of the Sunset Committee's recommendation to terminate said commission; to amend sections 9-16-74, 9-16-75, 9-16-78 and 9-16-103, Code of Alabama 1975, so as to: provide that regulations promulgated by the commission shall not be more stringent than the federal standards; provide that all sums received by the commission by fees, bond forfeitures or recovery of civil penalties shall be payable to the state general fund; provide that rules and regulations of the commission shall be promulgated and adopted in accordance with the state's administrative procedure law (chapter 22, Title 41, Code of Alabama 1975); and provide that the



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hearings offices and hearings shall be conducted in a facility separate from the facility in which the commission is located.

Committee on Governmental Affairs.

By Senator Bailey:

S. 288. To amend Section 12-17-290, Code of Alabama 1975, so as to provide that a break in service as an official court reporter for the State of Alabama will not affect the reporter's eligibility for attaining supernumerary status, and to provide that supernumerary court reporter commissions shall be issued by the Secretary of State rather than the Chief Justice.

Committee on Finance and Taxation.

By Senator Denton:

S. 289. To provide for a certain cost-of-living increase to all surviving beneficiaries of members of the Employees' Retirement System of Alabama who became eligible for such benefits prior to October 1, 1986; to provide that no survivor beneficiary of an employee under the Employees' Retirement System whose benefits are based primarily upon service as an employee of an employer participating under Section 36-27-6 of the Code of Alabama 1975 shall be entitled to receive said increase unless the employer by which such employee was employed elects to come under the provisions of this act; to provide that any person whose eligibility to receive Medicaid benefits would be impaired by the increase granted herein shall not be entitled to receive said increase; and to provide that such increase shall not apply to persons receiving benefits under the Judicial Retirement Fund of Alabama.

Committee on Finance and Taxation.

By Senators Holmes, Foshee, Teague, Dixon, Bedsole, Hand, Parsons, and Dial.

S. 290. To propose an amendment to the Constitution of Alabama of 1901, which provides for the governor's authorization to convene special sessions of the legislature, so as to provide further for the convening of said sessions.

Committee on Constitutional Revision.

The above Bill was read a first time at length as required by the Constitution.

By Senators Bedsole, Horn, Aldridge, Langford, Bennett, Amari, Hilliard, Strong, Parsons, Corbett, Foshee, and Barron:

S. 291. To amend Section 22-20-3 of the Code of Alabama 1975, so as to further provide that all susceptible infants be tested for sickle cell anemia or sickle cell trait.

Committee on Health and Welfare.

By Senator Barron:

S. 292. To amend section 32-5-17, Code of Alabama 1975, relating to the nuisance of casting a light from a motor vehicle on real property at night, so as to change the hours of its effect.

Committee on Judiciary.

By Senator Drinkard:

S. 293. To amend Section 18-3-1, Code of Alabama 1975, which provides for acquisition of rights-of-way by private parties, so as to provide further for said acquisition.

Committee on Judiciary.

By Senator Bishop:

S. 294. To make an appropriation for the support and maintenance of the Walker County Junior College for the fiscal year ending September 30, 1987.

Committee on Finance and Taxation.

By Senator Bedsole:

S. 295. To amend Sections 17-10-5 and 17-10-14, Code of Alabama 1975, which provide for the procedure of absentee voting, so as to provide further for the retention of the voting lists by the clerk or register and the compensation of the absentee election manager.

Committee on Governmental Affairs.

By Senator Parsons:

S. 296. To prohibit persons from willfully harassing or interfering with persons lawfully hunting wild game in this state; and to prescribe penalties.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Figures (By Request):

S. 297. To require the Alabama Highway Department to erect an appropriate marker or sign on U. S. Highway 80 designating the place where Viola Liuzzo was killed.

Committee on Commerce,  
Transportation, and Utilities.

By Senator Figures (By Request):

S. 298. To amend Section 13A-6-60, Code of Alabama 1975, so as to remove the exemption from criminal responsibility of the spouse for rape and redefine the term "female" which excludes married victims.

Committee on Judiciary.

By Senators Dixon and Langford:

S. 299. To amend Section 17-5-12 of the Code of Alabama 1975, relating to places of voting so as to provide that the county commission may designate a place of holding elections other than the courthouse in the precinct in which the courthouse is situated.

Committee on Governmental Affairs.

By Senator Goodwin:

S. 300. To amend Act No. 85-691, 1985 Regular Session, in order to provide that the Alabama Manufactured Housing Commission Fund shall

be changed from a revolving fund to a special revenue trust fund that functions in accordance with state budgetary control procedures.

Committee on Buildings and Grounds.

By Senator Teague:

S. 301. To provide for protection orders for the purpose of preventing domestic abuse; to provide for court jurisdiction and venue; to provide for court hearings for petitions for relief; to provide for the contents and the issuance of protection orders; and to provide penalties for violations of protective orders.

Committee on Judiciary.

By Senator Teague:

S. 302. To provide for the establishment of a uniform plan of health insurance for employees and, under certain conditions, retired employees of employers participating in the employees' retirement system of Alabama under the provisions of Section 36-27-6 of the Code of Alabama 1975; to provide for the creation of the local employees' health insurance board; to prescribe the authority, powers, duties and terms of the members of said board; to prescribe the coverage which may be provided by said plan and the method of funding the cost of said coverage and to provide that said board upon certain findings, may develop a plan of self insurance.

Committee on Finance and Taxation.

By Senator Aldridge:

S. 303. To amend Section 15-12-22, Code of Alabama 1975 to provide that counsel appointed to represent an indigent defendant may file a separate claim against the Fair Trial Tax Fund for services rendered and expenses incurred in connection with a petition for writ of certiorari filed in the Alabama Supreme Court; to establish a maximum amount which may be claimed for such services; and to provide an effective date.

Committee on Finance and Taxation.

By Senator Covington:

S. 304. To amend Sections 36-20-3 and 36-20-31 of the Code of Alabama 1975, which sections relate to surety bond requirements for county and state at large notaries public, respectively, so as to increase the dollar amount of such bonds.

Committee on Judiciary.

By Senator Teague:

S. 305. To provide that any law enforcement officer who responds to a call involving domestic abuse shall fill out and file a domestic abuse offense report.

Committee on Judiciary.

By Senator Teague:

S. 306. To provide that any law enforcement officer acting in good faith and exercising due care in the making of an arrest pursuant to a domestic relations disturbance shall be immune from any civil liability.

Committee on Judiciary.

By Senator Teague:

S. 307. To provide that any police training school recognized by the Peace Officers Standards and Training Commissions shall establish an education and training program for law enforcement officers designed to acquaint them with domestic abuse issues.

Committee on Judiciary.

By Senator Teague:

S. 308. To amend section 15-10-3, Code of Alabama 1975, which provides the circumstances under which a law enforcement officer may arrest without a warrant, so as to provide that a law enforcement officer may arrest without a warrant in certain domestic abuse cases.

Committee on Judiciary.

By Senator Teague:

S. 309. To exempt from all state, county or local ad valorem taxes all property owned and used by The Citizens Hospital Association in Talladega, Alabama.

Committee on Finance and Taxation.

By Senator Teague:

S. 310. To provide that any law enforcement officer who responds to a domestic relations disturbance shall advise any victim of such disturbance of the availability of shelter or other services in the community that can provide aid for such victim and shall further provide such victim with an immediate notice of any legal rights and remedies available.

Committee on Judiciary.

By Senators Teague, Bedsole, and Strong:

S. 311. Appropriating a certain amount of money during the 1985-86 fiscal year from the state general fund to the National Guard Association of Alabama for the establishment of an Alabama National Guard Museum in a certain location.

Committee on Finance and Taxation.

By Senator Teague:

S. 312. To provide for minimum arresting officer manpower requirements for the Alabama Department of Public Safety.

Committee on Finance and Taxation.

By Senator Parsons:

S. 313. To amend Section 13A-6-21 of the Code of Alabama 1975, relating to assault in the second degree, so as to provide further for the elements of such criminal offense.

Committee on Judiciary.

By Senator Parsons:

S. 314. To further amend Section 40-12-248, Code of Alabama 1975, as last amended, relating to license taxes and registration fees on certain

truck and truck tractor vehicles, so as to further provide for recreational van motor vehicles and campers.

Committee on Finance and Taxation.

By Senator Parsons:

S. 315. To amend Sections 25-5-110, 25-5-113, 25-5-114, 25-5-117, 25-5-120, 11-43-144 and 36-30-7 of the Code of Alabama 1975 so as to redefine occupational diseases of firefighters and the related manner and procedures for compensation of such.

Committee on Finance and Taxation.

By Senator Ellis:

S. 316. To amend Section 28-3A-11 of the Code of Alabama 1975, relating to lounge retail liquor license so as to create a separation of package retail liquor license from the lounge retail liquor license.

Committee on Buildings and Grounds.

### MOTION IN WRITING

Senator Bailey offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 52, on page 13 of the Fourth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 52, referred to the Standing Committee on Rules for placement on the Consent Calendar.

### RESOLUTION

Senators Holmes, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Horn, Langford, Little, Menton, Mitchem, Parsons, Sanders, Smith (B), Smith (J), Strong and Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 41. CONGRATULATING THE ALEXANDRIA HIGH SCHOOL VALLEY CUBS, STATE 4A FOOTBALL CHAMPIONS FOR 1985.

WHEREAS, in consensus of highest commendation, the Alabama Legislature extends heartiest congratulations to Alexandria High School on the Valley Cubs' 1985 State 4A Football Championship following a 35-0 victory over Elba in the finals; and

WHEREAS, under the talented direction of Head Coach Lou Scales, a 38-year veteran at Alexandria, and Assistant Coaches Larry Ginn, Butch Haver, Gerald Shaw and Jim Heathcock, the Valley Cubs, not only captured their school's first State Title, but posted a phenomenal 13-2 final season record, including 6 big shutout games during their grueling regular season and play-off schedules; and

WHEREAS, sharing the glory and credit for such an outstanding season, are Valley Cubs David Ball, Lonnie Ball, Ted Boozer, Hollis Brewster, Kenny Brown, Shane Burgess, Brad Carr, Geoff Carroll, Lance Cobb, John Colvin,

Richie Crow, T. J. Curvin, Darrell Davis, Scotty Duke, Steve Duke, Paul Ford, Bobby Freeman, Jeff Gardner, Tim Griffith, Todd Griffith, Lee Heifner, Mark Hendrix, Keith Henegar, Rodney Hopkins, Rusty Irwin, Jason Johnson, Chad Lackey, Tony Levens, Matthew Lyons, Tim Mayfield, Clayton Medders, James Patton, Tres Payne, Lee Ponder, Shane Pruitt, Donald Rhodes, Brian Robertson, Eric Thomas, Derek Warren, Byron Wilson, Arthur Woodruff and Tony Young; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Coach Lou Scales, his staff and the Alexandria High School Valley Cubs on their 1985 State 4A Football Championship and direct that copies of this resolution be forwarded to Principal Grover H. Whaley for appropriate presentation and school display.

On motion of Senator Holmes, the Rules were suspended and the Resolution was adopted by the Senate.

### COMMITTEE REPORT FILED

Pursuant to the provisions of Act No. 84-775, S. J. R. 58, the report of the Joint Interim Committee on County Government was read and ordered filed with the Secretary.

### RESOLUTIONS

Senator Aldridge offered the following Senate Joint Resolution, to-wit:

S. J. R. 42. NAMING THE BYPASS TO ALABAMA HIGHWAY 20 THE "MARTIN LUTHER KING DRIVE."

WHEREAS, The Town Council of North Courtland, Alabama, has adopted a resolution of that body requesting the State of Alabama name the newly constructed bypass to Alabama Highway 20 in Lawrence County, Alabama, the "Martin Luther King, Jr. Drive;" and

WHEREAS, the citizens of the State of Alabama recognize the accomplishments and example set by Dr. King in his work to insure equal justice and opportunity for all Alabamians and Americans; and

WHEREAS, in memory of Dr. King and the movement he represented in the history of our country, it is appropriate that there be a lasting and perpetual memorial established in his honor; now therefor,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby name and designate that portion of the new bypass to Alabama Highway 20 in Lawrence County, Alabama as the "Martin Luther King, Jr. Drive."

BE IT FURTHER RESOLVED, That the proper authority is hereby authorized to erect and maintain appropriate signs and markers at a place or places along said bypass, so designating the "Martin Luther King, Jr. Drive."

On motion of Senator Aldridge, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Parsons offered the following Senate Resolution, to-wit:

S. R. 43. MEMORIALIZING PRESIDENT REAGAN AND THE CONGRESS TO CEASE ALL EFFORTS TO REDUCE AND/OR ELIMINATE ANY VETERANS BENEFITS AND TO TAKE STEPS TO RESTORE ALL BENEFITS HERETOFORE CURTAILED OR ELIMINATED.

Which was adopted.

Senator Goodwin offered the following Senate Joint Resolution, to-wit:

**S. J. R. 44. COMMENDING GAIL OGLE OF SELMA, ALABAMA, FOR OUTSTANDING ATHLETIC ACCOMPLISHMENT.**

WHEREAS, the Alabama Legislature notes with highest commendation the outstanding accomplishments of Gail Ogle of Selma, Alabama, one of our state's premier distance runners; and

WHEREAS, an employee of the Department of Agriculture and a home-maker, Mrs. Ogle has achieved phenomenal success during the past several years as a champion runner, either winning or placing high in some 125 races entered during a four-year period; and

WHEREAS, among Mrs. Ogle's first place finishes in the women's division are the Vulcan 10K, Vulcan Marathon, Montgomery Jubilee River Run, Peach Run and Twilite Five Run, among others; and

WHEREAS, Gail Ogle also is the recipient of numerous awards, honors and accolades such as a National Achievement Award, by Runner's World magazine, Most Improved Runner on the South's racing circuit and Outstanding Young Fitness Leader by the Selma Jaycees; and

WHEREAS, now racing some two or three times a month, Mrs. Ogle is sponsored by the Etonic Shoe Company, an advantage earned through minimum racing time achievement, and was ranked fourth among the top 40 females in the Final Grand Prix VIII Standings; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING**, That in recognition of outstanding accomplishment as a distance runner, we hereby most highly commend Gail Ogle of Selma, Alabama, whom we hold in utmost regard and for whom a copy of this resolution shall be provided.

On motion of Senator Goodwin, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Goodwin then offered the following Senate Joint Resolution, to-wit:

**S. J. R. 45. HONORING SELMA, ALABAMA'S, DIAMOND, THE "GREAT AMERICAN DOG."**

WHEREAS, it is with utmost pride and pleasure that our state once again shares the fame of a national championship with the selection of Alabama's Diamond as the winner of the super bowl of canine contests sponsored by the Purina Corporation; and

WHEREAS, Diamond, who is the pet Corgi of seven-year old Jeffrey Jones of Selma, Alabama, was crowned in November, 1985, as the champion of Purina Dog Chow's "Great American Dog" contest; and

WHEREAS, as the national "Great American Dog," a picture of Diamond and Jeffrey will appear on millions of bags of Purina Dog Chow and his young owner receives a large first-prize cash award and other prizes; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING**, That we hereby most heartily congratulate and commend Diamond of Selma, Alabama, and direct that his

owner, Jeffrey Jones, receive a copy of this resolution on behalf of his own "man's best friend" and Alabama's nationally famous canine.

On motion of Senator Goodwin, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Goodwin, Smith (J), Bedsole, and Holmes offered the following Senate Joint Resolution, to-wit:

**S. J. R. 46. CALLING FOR THE DEATH PENALTY FOR ACTS OF TREASON AND ESPIONAGE DURING PEACETIME.**

WHEREAS, the Constitution of the United States Article III, Section 3 clearly states that "treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort." Federal law further dictates that anyone guilty of treason shall be subject to death or other penalties. Treason and espionage are the only offenses for which death is the accepted punishment and death can only be imposed when our country is at war; and

WHEREAS, recently, valuable secrets concerning our country's national security have been sold by certain citizens; in some instances while those individuals were in the service of our country; and

WHEREAS, the security of our precious nation has been placed in jeopardy by the cold-hearted actions of these traitors and immeasurable harm has been done to present and future generations of Americans; and

WHEREAS, thousands of men and women have sacrificed their lives and health defending and preserving our national freedom and to allow future threats to our lives and liberties through treason is intolerable.

NOW THEREFORE, BE IT RESOLVED by the Legislature of Alabama, both houses concurring that the Congress of the United States immediately enact legislation making treasonous acts punishable by death, whether the same be communicated in war or in peace so as to deter any person from considering committing treason, the most heinous crime possible against our material existence. Be it further resolved that a copy of this Resolution be mailed to each United States Senator and member of the House of Representatives from the State of Alabama.

On motion of Senator Goodwin, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Goodwin, Parsons, Holmes, and Smith (J) offered the following Senate Joint Resolution, to-wit:

**S. J. R. 47. CALLING FOR THE DEATH PENALTY FOR "KING-PINS" IN DRUG TRAFFICKING CASES ON THE FEDERAL LEVEL.**

WHEREAS, there are thousands of murders, robberies, and crimes of all types committed daily which are the direct result of drug trafficking in our country today; and

WHEREAS, the importation and sale of illegal drugs is a multi-billion dollar industry carried out and fostered by large organized crime figures who operate with total disregard for human life and the laws that our society has to protect us from such evils; and

WHEREAS, the United States Congress passed Section 848 of Title 21, United States Code which was enacted as part of the Comprehensive Drug



Abuse Prevention and Control Act of 1970 which is known as the Continuing Criminal Enterprise Statute.

WHEREAS, this statute was intended to provide federal prosecutors with the means of reaching the organizers, managers, and supervisors of major drug trafficking organizations with the penalty of a maximum of life imprisonment without opportunity for parole.

WHEREAS, these "kingpins" of the drug trafficking trade who are responsible for this insidious evil continue to debauch our youth and entire population by importing illegal drugs into the United States at an alarming rate; and

WHEREAS, despite gallant attempts by both federal and state authorities to halt this drug trade, it continues and stands as one of the greatest threats to the existence of our society with all socio-economic classes affected;

NOW THEREFORE, BE IT RESOLVED by the Legislature of Alabama, both houses concurring that the Congress of the United States amend the Continuing Criminal Enterprise Statute to add death as the penalty for these "kingpins" who continue to import drugs into this country with total disregard for the crimes and deaths which result from their actions. That there should be enough lawyers in the U.S. Justice Department to devise this death penalty which is the only effective deterrent to the "kingpins" of the drug trade. Be it further resolved that a copy of this Resolution be mailed to each United States Senator and member of the House of Representatives from the State of Alabama.

On motion of Senator Goodwin, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Dixon and Langford offered the following Senate Joint Resolution, to-wit:

S. J. R. 48. COMMENDING THE FLOYD JUNIOR HIGH SCHOOL CHEERLEADERS ON THEIR NATIONAL CHAMPIONSHIP.

WHEREAS, it is with great pride and pleasure that the Alabama Legislature congratulates the Floyd Junior High School Cheerleaders, Montgomery, Alabama, as 1985 National Champions, Junior High Division, by virtue of the team's first place finish, in the National Cheerleaders Association's National Competition in Orlando, Florida, against 44 squads from 37 states; and

WHEREAS, under the talented direction and leadership of Sponsor Helen Sanson and Coach Bonnie McClure, the Floyd cheerleaders became eligible to participate in the Nationals, for the third consecutive year, by winning first place at a University of South Alabama NCA Camp competing with 58 schools, both high school and junior high, from five states; and

WHEREAS, sharing the credit and glory of a National Championship are cheerleaders Kim Cash, Mitzi Cochran, Robyn D'Olimpio, Hope Curtis, Stacey Ellison, Masha Godwin, LaShanda Goodwin, Beth Langford, Tricia Loftin, Suzanne McClellan, Cindy Rhodes, Melissa Russell, Patrice Welcher and Marla Williams; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in highest commendation, we hereby most heartily congratulate the Floyd Junior High School Cheerleader Team, Montgomery, Alabama, as National Champions of the Junior High

School Division and direct that copies of this resolution be provided for appropriate presentation and school display.

On motion of Senator Bedsole, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Little offered the following Senate Joint Resolution, to-wit:

**S. J. R. 49. COMMENDING JANE C. WALKER OF OPELIKA, ALABAMA, FOR OUTSTANDING ACHIEVEMENT AND COMMUNITY LEADERSHIP.**

WHEREAS, the Alabama Legislature notes with highest commendation the numerous and notable accomplishments of Jane C. Walker of Opelika, Alabama; and

WHEREAS, the recent recipient of Lee County's 1985 Leadership Award in the Alabama Resources and Leadership Development Program, Mrs. Walker was recognized for her civic, historic, youth and church leadership for the past 25 years; and

WHEREAS, among many worthwhile endeavors, Mrs. Walker was instrumental in the establishment of the Council of Neglected and Dependent Children, helped to initiate Project Uplift with the Big Brother/Big Sister Program on the Auburn University Campus, and has supported the area's youth through service on the Opelika City School Board, the board of Junior Achievement, Opelika Girl Scout Council and the Concharty Council of Girl Scouts; and

WHEREAS, her dedicated past and present involvement in civic and community affairs extends to include the Opelika United Way Board, Lee County Children's Council, Lee County Department and the Association of County Boards of Pensions and Security, Opelika Historic Preservation Society, Advisory Council of AU's School of Home Economics, the board of trustees of the Opelika Arts Association as well as Trinity United Methodist Church, Opelika, and the Montgomery District United Methodist Church which she has served in many capacities; and

WHEREAS, Mrs. Walker also was prominently and highly honored recently with the naming of the Jane C. Walker House which is part of the residential treatment facility of the Lee County Youth Development Center; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That in recognition of outstanding achievement and community leadership, we hereby most highly commend Jane C. Walker of Opelika, Alabama, whom we hold in highest esteem and for whom a copy of this resolution shall be provided.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Little and Dial offered the following Senate Joint Resolution, to-wit:

**S. J. R. 50. HONORING MRS. BERTHA OVERTON OF WEDOWEE, ALABAMA, ON THE OCCASION OF HER 100TH BIRTHDAY.**

WHEREAS, it is with great pleasure that the Alabama Legislature extends congratulations to Mrs. Bertha Overton of Wedowee, Alabama, on the occasion of her 100th birthday, October 25, 1985; and

WHEREAS, the daughter of Mr. and Mrs. A. J. Weathers, Mrs. Overton was born October 25, 1885, and, with the exception of a short residency in Montgomery, has resided in Wedowee since 1892, the year her father became probate judge of Randolph County; and

WHEREAS, Mrs. Overton was married in 1907, at age 22, to the late John W. Overton, attorney and state senator from Randolph County, who was the author of Alabama's first "good roads amendment," among other accomplishments, and later served as inferior court judge and as mayor of Wedowee; they were the parents of John Overton, deceased, and a second son, Hugh Overton; and

WHEREAS, a teacher prior to her marriage, Mrs. Overton also has worked in the superintendent's office and with Pensions and Security, and was a Sunday school teacher for many years; and

WHEREAS, Mrs. Overton, during her long and productive lifetime, has indeed witnessed countless changes in the community, our nation and the world, and her memories and personal perception of eras past are to be treasured by those of us privy to both her wealth of knowledge and to her warm and gracious personality; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most heartily congratulate Mrs. Bertha Overton of Wedowee, Alabama, on her milestone 100th birthday.

BE IT FURTHER RESOLVED, That in token of our sincere, warm praise and highest regard, a copy of this resolution should be forwarded to Mrs. Overton.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Little offered the following Senate Resolution, to-wit:

S. R. 51. COMMENDING CLARA CLOTHIAUX OF AUBURN, ALABAMA, FOR OUTSTANDING PROFESSIONAL ACHIEVEMENT.

Which was adopted.

Senators Little and Dial offered the following Senate Resolution, to-wit:

S. R. 52. MOURNING THE DEATH OF HENRY TUCKER OF LAFAYETTE, ALABAMA.

Which was adopted.

Senators Little and Foshee offered the following Senate Joint Resolution, to-wit:

S. J. R. 53. MOURNING THE DEATH OF BELLAIRE KRUDOP OF ANDALUSIA, ALABAMA.

WHEREAS, the Legislature of Alabama grievously records the death of Bellaire Krudop of Andalusia, Alabama, on September 28, 1985, at the age of 67 years; and

WHEREAS, Mr. Krudop, a native of Clarke County and longtime resident of Andalusia, was a graduate of Clarke County High School and of Auburn University with the B.S. degree in Vocational Agriculture; he was a former teacher at Kinston High School and in Enterprise, Alabama; and

WHEREAS, it was in 1944 that Mr. Krudop moved to Andalusia to accept a position with the Rehabilitation Center and later became involved in a number of business enterprises; he further was a highly successful insurance executive as an owner of an insurance agency and with the Colonial Life and Accident Insurance Company; and

WHEREAS, Mr. Krudop extended his activities to include leadership involvement with such projects and organizations as the Cub Scouts, American Red Cross, March of Dimes, Heart Fund, Andalusia Area Chamber of Commerce, Mental Health Drive, Little League ball, the Covington County Auburn Club, St. Mary's Episcopal Mission, the First Baptist Church Men's Sunday School Class and the Jaycees on both local and state levels; and

WHEREAS, among many honors bestowed on Mr. Krudop for outstanding service and accomplishment were the First Andalusia Man of the Year award by the Kiwanis Club and his selection as a Paul Harris Fellow, the highest honor granted by Rotarians; and

WHEREAS, it also was Bellaire Krudop, as a member of the Rotary Club, who for the past ten years called out "Play Dominoes" to start Andalusia's highly successful and world famous domino tournament; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are grievously saddened by the death of Bellaire Krudop, a beloved citizen and friend of the Andalusia community, whose loss remains inconsolable to all those whose lives he touched.

BE IT FURTHER RESOLVED, That in expression of the sorrow we share with Mr. Krudop's family, copies of this resolution shall be forwarded to his wife, Mrs. Sara Frances Krudop, and to their sons, James D., Ballard and Richard F. Krudop.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Little offered the following Senate Joint Resolution, to-wit:

S. J. R. 54. COMMENDING WILBUR L. BLACKMON, LEE COUNTY HISTORIAN.

WHEREAS, in consensus of highest commendation, the Legislature of Alabama notes the appointment by the Lee County Commission of Wilbur L. "Wink" Blackmon as County Historian; and

WHEREAS, a native of Opelika and a graduate of Clift (now Opelika) High School and of Howard College (Samford University), Mr. Blackmon is a columnist with the Opelika-Auburn News and is the author of the paper's Sunday column, "Letters I Mean to Mail," and a contributing author to "Lee County and Her Forebears"; and

WHEREAS, Mr. Blackmon, after serving in World War II, returned to his hometown in 1946 as a partner in the family printing business; he also served as managing editor of the Opelika Daily News from 1947 to 1959 and as editor from 1959 until 1973; and

WHEREAS, among numerous of Mr. Blackmon's recognitions for distinguished journalism are the Alabama Press Association's Best Editorial

Award in 1971, and the Alabama Baptist State Journalism Award in 1968; and

WHEREAS, he further served from 1973 until 1983 as public relations director for Southern Union State Junior College, which named the school's library at the Opelika campus in his honor; and

WHEREAS, Mr. Blackmon is a member and deacon at First Baptist Church of Opelika, a past president of both the Rotary Club and the Opelika Chamber of Commerce, and a former member of the Opelika Water Board; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of outstanding professional accomplishment and civic leadership, we hereby most highly commend Lee County Historian, Wilbur L. "Wink" Blackmon, whom we hold in highest regard and for whom a copy of this resolution shall be provided.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Little, Goodwin, Sanders, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Hand, Hilliard, Holmes, Horn, Langford, Menton, Mitchem, Parsons, Smith (B), Smith (J), Strong and Teague offered the following Senate Resolution, to-wit:

S. R. 55. COMMENDING MATTIE ROGERS OF SELMA, ALABAMA.

Which was adopted.

Senator Smith (J) offered the following Senate Resolution, to-wit:

S. R. 56. URGING THE SECRETARY OF THE SENATE TO HAVE TOLL-FREE INCOMING CALL TELEPHONE SERVICE INSTALLED FOR THE BENEFIT OF THE PUBLIC DURING LEGISLATIVE SESSIONS.

Which was read and referred to the Standing Committee on Rules.

Senator Smith (J) then offered the following Senate Joint Resolution, to-wit:

S. J. R. 57. URGING THE CLERK OF THE HOUSE OF REPRESENTATIVES AND THE SECRETARY OF THE SENATE TO HAVE TOLL-FREE INCOMING CALL TELEPHONE SERVICE INSTALLED FOR THE BENEFIT OF THE PUBLIC DURING LEGISLATIVE SESSIONS.

WHEREAS, during a legislative session, many citizens throughout this state would like to converse with their legislators to express their feelings on certain legislation which might have a profound impact on either their businesses or their private lives; and

WHEREAS, such important matters often require an extensive telephone conversation which is likely to result in a bill which is beyond the reach of the average constituent; and

WHEREAS, the cost of installing and operating toll-free incoming call telephone service so the public may converse with their legislators during a session would be miniscule in comparison to the overall cost of any legislative session; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do hereby urge the clerk of the House of Representatives and the secretary of the Senate to have toll-free incoming call telephone service installed for the benefit of the public during legislative sessions.

BE IT FURTHER RESOLVED, That the cost of such telephone service shall be paid from funds appropriated to the Legislature; and, the location and number of such toll-free incoming call lines shall be determined by said clerk and secretary.

Which was read and referred to the Standing Committee on Rules.

### MOTIONS IN WRITING

Senator Strong offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 154, on page 14 of the Fourth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 154, referred to the Standing Committee on Rules for placement on the Consent Calendar.

Senator Strong then offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 137, on page 12 of the Fourth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 137, referred to the Standing Committee on Rules for placement on the Consent Calendar.

### REPORT FROM RULES

Senator Parsons, Vice Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Ben C. Collier to the Alabama State Docks Advisory Committee

On motion of Senator Parsons, the appointment of Mr. Collier was confirmed by the Senate.

Yeas 24; Nays 0.

Yeas:

Senators:

Bailey  
Barron  
Bedford  
Bedsole  
Bennett  
Bishop

Cooley  
deGraffenried  
Dixon  
Ellis  
Figures  
Foshee

Goodwin  
Hand  
Hilliard  
Holmes  
Horn  
Langford

Little  
Menton  
Parsons  
Smith (B)  
Smith (J)  
Strong

Nays:

—24

—0

REGULAR SESSION  
4th Day

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Senator Parsons, Vice Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. William Smith to the Board of Trustees, Alabama Institute for Deaf and Blind

On motion of Senator Parsons, the appointment of Mr. Smith was confirmed by the Senate.

Yeas 24; Nays 0.

*Yeas:*

Senators:	Cooley	Figures	Little	
Amari	Corbett	Foshee	Parsons	
Barron	deGraffenried	Goodwin	Smith (B)	
Bedford	Denton	Hand	Smith (J)	
Bedsole	Dixon	Hilliard	Strong	
Bennett	Ellis	Langford	Teague	
Bishop				—24

*Nays:* —0

Senator Parsons, Vice Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of the Honorable Charles Bishop to the Alabama State Docks Advisory Committee

On motion of Senator Parsons, the appointment of the Honorable Charles Bishop was confirmed by the Senate.

Yeas 24; Nays 0.

Abstaining 1.

*Yeas:*

Senators:	Corbett	Foshee	Little	
Aldridge	deGraffenried	Goodwin	Parsons	
Amari	Denton	Hand	Smith (B)	
Barron	Dial	Hilliard	Smith (J)	
Bedsole	Dixon	Holmes	Strong	
Bennett	Ellis	Langford	Teague	
Cooley				—24

*Nays:* —0

*Abstaining:* Senator Bishop —1

Senator Parsons, Vice Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mrs. Peggy E. Estes to the Board of Trustees, Alabama Institute for the Deaf and Blind

On motion of Senator Parsons, the appointment of Mrs. Estes was confirmed by the Senate.

Yeas 23; Nays 0.

*Yeas:*

Senators:	Corbett	Figures	Langford	
Barron	deGraffenried	Foshee	Mitchem	
Bedsole	Denton	Goodwin	Parsons	
Bennett	Dial	Hand	Smith (B)	
Bishop	Dixon	Hilliard	Smith (J)	
Cooley	Ellis	Holmes	Strong	—23

*Nays:* —0

Senator Parsons, Vice Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of George Lewis Bailes to the Alabama State Docks Advisory Committee

On motion of Senator Parsons, the appointment of Mr. Bailes was confirmed by the Senate.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Corbett	Hand	Mitchem	
Aldridge	deGraffenried	Hilliard	Smith (B)	
Barron	Dial	Horn	Smith (J)	
Bedsole	Dixon	Langford	Strong	
Bennett	Ellis	Little	Teague	
Cooley	Goodwin			—21

*Nays:* —0

Senator Parsons, Vice Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. Charles Wilson to the Board of Trustees, Alabama Institute for the Deaf and Blind

On motion of Senator Holmes, the appointment of Mr. Wilson was confirmed by the Senate.

Yeas 22; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Little	
Aldridge	Denton	Goodwin	Mitchem	
Barron	Dial	Hand	Smith (B)	
Bedsole	Dixon	Hilliard	Smith (J)	
Bennett	Ellis	Holmes	Teague	
Cooley		Horn		
		Langford		—22

*Nays:* —0



REGULAR SESSION  
4th Day

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Senator Parsons, Vice Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mrs. Rachael Arrington to the Board of Trustees, Alabama Institute for the Deaf and Blind

On motion of Senator Teague, the appointment of Mrs. Arrington was confirmed by the Senate.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Denton	Hilliard	Smith (B)	
Barron	Dixon	Holmes	Smith (J)	
Bennett	Ellis	Horn	Strong	
Cooley	Foshee	Langford	Teague	
deGraffenried	Goodwin	Little		—18

*Nays:* —0

Senator Parsons, Vice Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Herbert Gray, PH.D. to the Alabama A & M University Board of Trustees

On motion of Senator Smith (B), the appointment of Dr. Gray was confirmed by the Senate.

Yeas 21; Nays 0.

*Yeas:*

Senators:	deGraffenried	Hand	Little	
Aldridge	Denton	Hilliard	Mitchem	
Barron	Dial	Holmes	Smith (J)	
Bedsole	Ellis	Horn	Strong	
Bennett	Foshee	Langford	Teague	
Cooley	Goodwin			—21

*Nays:* —0

Senator Parsons, Vice Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Marcus J. Wolf, CPA, to the Alabama Securities Commission

On motion of Senator Cooley, the appointment of Mr. Wolf was confirmed by the Senate.

Yeas 23; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Little	
Aldridge	Denton	Hand	Mitchem	
Barron	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Smith (J)	
Bennett	Ellis	Horn	Strong	
Cooley	Foshee	Langford	Teague	—23

*Nays:* —0

Senator Parsons, Vice Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. James D. Pruett to the Alabama Securities Commission

On motion of Senator Cooley, the appointment of Mr. Pruett was confirmed by the Senate.

Yeas 23; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Little	
Aldridge	Denton	Hand	Mitchem	
Barron	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Smith (J)	
Bennett	Ellis	Horn	Strong	
Cooley	Foshee	Langford	Teague	—23

*Nays:* —0

Senator Parsons, Vice Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. Terry C. Planché to the Board of Examiners of Landscape Architects

On motion of Senator Cooley, the appointment of Mr. Planché was confirmed by the Senate.

Yeas 23; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Little	
Aldridge	Denton	Hand	Mitchem	
Barron	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Smith (J)	
Bennett	Ellis	Horn	Strong	
Cooley	Foshee	Langford	Teague	—23

*Nays:* —0

REGULAR SESSION  
4th Day

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Senator Parsons, Vice Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Ms. Harvilee P. Harbarger to the Board of Examiners of Landscape Architects

On motion of Senator Cooley, the appointment of Ms. Harbarger was confirmed by the Senate.

Yeas 23; Nays 0.

Yeas:

Senators:	deGraffenried	Goodwin	Little	
Aldridge	Denton	Hand	Mitchem	
Barron	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Smith (J)	
Bennett	Ellis	Horn	Strong	
Cooley	Foshee	Langford	Teague	—23

Nays: —0

Senator Parsons, Vice Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. Robert E. Enoch to the Board of Examiners of Landscape Architects

On motion of Senator Cooley, the appointment of Mr. Enoch was confirmed by the Senate.

Yeas 23; Nays 0.

Yeas:

Senators:	deGraffenried	Goodwin	Little	
Aldridge	Denton	Hand	Mitchem	
Barron	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Smith (J)	
Bennett	Ellis	Horn	Strong	
Cooley	Foshee	Langford	Teague	—23

Nays: —0

Senator Parsons, Vice Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. Michael G. Griffin to the Foreign Trade Relations Commission

On motion of Senator Cooley, the appointment of Mr. Griffin was confirmed by the Senate.

Yeas 23; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Little	
Aldridge	Denton	Hand	Mitchem	
Barron	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Smith (J)	
Bennett	Ellis	Horn	Strong	
Cooley	Foshee	Langford	Teague	—23

*Nays:* —0

Senator Parsons, Vice Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mrs. Katie Espy to the Alabama Commission on Higher Education

On motion of Senator Cooley, the appointment of Mrs. Espy was confirmed by the Senate.

Yeas 23; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Little	
Aldridge	Denton	Hand	Mitchem	
Barron	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Smith (J)	
Bennett	Ellis	Horn	Strong	
Cooley	Foshee	Langford	Teague	—23

*Nays:* —0

Senator Parsons, Vice Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. Frank Parker to the Board of Appeals for Unemployment Compensation

On motion of Senator Cooley, the appointment of Mr. Parker was confirmed by the Senate.

Yeas 23; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Little	
Aldridge	Denton	Hand	Mitchem	
Barron	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Smith (J)	
Bennett	Ellis	Horn	Strong	
Cooley	Foshee	Langford	Teague	—23

*Nays:* —0

REGULAR SESSION  
4th Day

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Senator Parsons, Vice Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. Ken Underwood, Jr., to the Board of Appeals for Unemployment Compensation

On motion of Senator Cooley, the appointment of Mr. Underwood was confirmed by the Senate.

Yeas 23; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Little	
Aldridge	Denton	Hand	Mitchem	
Barron	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Smith (J)	
Bennett	Ellis	Horn	Strong	
Cooley	Foshee	Langford	Teague	—23

*Nays:* —0

Senator Parsons, Vice Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. Thomas L. Glidewell to the Alabama State Docks Advisory Committee

On motion of Senator Cooley, the appointment of Mr. Glidewell was confirmed by the Senate.

Yeas 23; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Little	
Aldridge	Denton	Hand	Mitchem	
Barron	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Smith (J)	
Bennett	Ellis	Horn	Strong	
Cooley	Foshee	Langford	Teague	—23

*Nays:* —0

Senator Parsons, Vice Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. M. C. Farmer to the Alabama State Docks Advisory Committee

On motion of Senator Cooley, the appointment of Mr. Farmer was confirmed by the Senate.

Yeas 23; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Little	
Aldridge	Denton	Hand	Mitchem	
Barron	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Smith (J)	
Bennett	Ellis	Horn	Strong	
Cooley	Foshee	Langford	Teague	—23

*Nays:* —0

Senator Parsons, Vice Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Donald W. Stewart to the Alabama State Docks Advisory Committee

On motion of Senator Cooley, the appointment of Mr. Stewart was confirmed by the Senate.

Yeas 23; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Little	
Aldridge	Denton	Hand	Mitchem	
Barron	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Smith (J)	
Bennett	Ellis	Horn	Strong	
Cooley	Foshee	Langford	Teague	—23

*Nays:* —0

Senator Parsons, Vice Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Juanita B. Sales to the Alabama State Docks Advisory Committee

On motion of Senator Cooley, the appointment of Ms. Sales was confirmed by the Senate.

Yeas 23; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Little	
Aldridge	Denton	Hand	Mitchem	
Barron	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Smith (J)	
Bennett	Ellis	Horn	Strong	
Cooley	Foshee	Langford	Teague	—23

*Nays:* —0

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Senator Parsons, Vice Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of the Honorable Earl Goodwin to the Alabama State Docks Advisory Committee

On motion of Senator Cooley, the appointment of the Honorable Earl Goodwin was confirmed by the Senate.

Yeas 22; Nays 0.

Abstaining 1.

*Yeas:*

Senators:	deGraffenried	Hand	Mitchem
Aldridge	Denton	Hilliard	Parsons
Barron	Dial	Holmes	Smith (J)
Bedsole	Dixon	Horn	Strong
Bennett	Ellis	Langford	Teague
Cooley	Foshee	Little	—22

*Nays:* —0

*Abstaining:* Senator Goodwin —1

RESOLUTION

Senator Teague offered the following Senate Joint Resolution; to-wit:

S. J. R. 58. HONORING DARWIN E. SMITH, CHAIRMAN OF THE BOARD AND CHIEF EXECUTIVE OFFICER OF KIMBERLY-CLARK CORPORATION.

WHEREAS, in consensus of highest commendation, the Legislature of Alabama notes the distinguished career of Darwin E. Smith with Kimberly-Clark Corporation which he now serves in the prestigious capacities of Chairman of the Board and Chief Executive Officer; and

WHEREAS, Mr. Smith has been associated with Kimberly-Clark since 1958, and has served successively as general attorney, vice president, director, executive vice president, president, and in his current leadership position since 1971; and

WHEREAS, a graduate of Indiana University with distinction and of Harvard Law School, cum laude, Mr. Smith also is a director of Citicorp, New York, New York, and is a member of The Business Council; and

WHEREAS, we are extremely pleased to welcome Mr. Smith to the State of Alabama, most particularly to the Childersburg community, and to join the Chamber of Commerce in recognition of the Kimberly-Clark/Childersburg facility for outstanding service and contributions to that area of Alabama and to our entire state as well; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most warmly praise Darwin E. Smith for outstanding achievement, and direct that he receive a copy of this resolution of commendation on the occasion of and in accompaniment with the Chamber's Citizen of the Year program recognizing the Kimberly-Clark/Childersburg facility.

On motion of Senator deGraffenried, the Rules were suspended and the Resolution was adopted by the Senate.

### REPORTS OF COMMITTEES

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Ellis:

S. 6. To amend Section 40-10-133 of the Code of Alabama 1975, relating to notice to former owner of application to purchase land bid in by state for delinquent taxes so as to provide further for procedures for such notice.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Ellis (With Substitute):

S. 8. To amend section 12-17-213, Code of Alabama 1975, which section relates to minimum service time required to qualify for supernumerary district attorney status, so as to provide further for the said minimum service time requirements.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Ellis:

S. 9. To amend Section 26-7-2 of the Code of Alabama 1975, relating to custody of funds owed to minors or persons of unsound mind not having guardians and payable to the judge of probate as custodian, so as to raise the maximum amount to \$3,000.00 for discharge of debt.

By Senator Ellis:

S. 27. To grant to the judges of the Alabama Court of Civil Appeals the power to administer oaths, take affidavits, or acknowledgements.

By Senator Ellis:

S. 28. To grant to the Alabama Court of Civil Appeals the power to hire staff attorneys.

By Senator Bedsole:

S. 29. To establish the Timber Theft Equipment Condemnation law of the State of Alabama and to further set forth a procedure whereby vehicles and equipment used in connection with timber theft may be condemned by appropriate authorities and the same sold or awarded by court order to the State Forester for use or resale in enforcement of theft laws of the State of Alabama wherein timber or lumber are the stolen items.

By Senator Smith (J):

S. 99. To amend Section 15-22-27, Code of Alabama 1975, to provide that an inmate whose death sentence was imposed under a statute providing



life imprisonment without parole shall serve a sentence of life imprisonment without parole if his death sentence is so commuted by the Governor.

By Senator Menton:

S. 180. To provide circumstances when a person shall be guilty of committing the crime of submitting a false or fraudulent application for a certificate of qualification or license to practice medicine; to provide that any person guilty of the crime of submitting a false or fraudulent application shall be guilty of a Class C felony; to provide for the severability of the provisions of this Act; to provide for the repeal of all laws in conflict with this Act; and to provide an effective date for this Act.

By Senator Cooley:

S. 132. To further regulate and control alcoholic beverage transactions in wet counties and municipalities in Alabama under the control and supervision of the alcoholic beverage control board; to provide uniform definitions applicable to Chapter 3, Title 28, Code of Alabama 1975, and to the Alcoholic Beverage Licensing Code, being Act No. 80-529, Acts of Alabama 1980, as amended, appearing as Chapter 3A, Title 28, Code of Alabama 1975, as amended, and to the Alabama Table Wine Act, being Act 80-382, Acts of Alabama 1980, as amended, appearing as Chapter 7, Title 28, Code of Alabama 1975, as amended; and to repeal all laws or parts of laws in conflict herewith.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senators Strong, Drinkard, and Bishop (With Amendment):

S. 159. To allow divorced spouses to petition the court to receive a portion of their former spouses' military retirement pay even though the original decree did not grant any alimony, and to bring Alabama into conformity with the provisions of the "Uniformed Services Former Spouses' Protection Act."

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Teague:

S. 166. Relating to crimes and offenses; making it a certain felony for a person to wear or otherwise utilize body armor in the commission of and flight from commission of a felonious offense and prescribing penalty for such violations.

By Senator Dixon:

S. 226. To amend Section 13A-7-23.1 of the Code of Alabama 1975 relating to criminal offenses involving desecration of tombs and gravestones, so as to provide further for such offenses.

By Senators Bedford, Little, Aldridge, Amari, and Cooley:

S. 72. To amend Rule 4(e), Alabama Rules of Civil Procedure, under authority of Section 6.11, Article VI, Constitution of Alabama of 1901, so

as to provide further for service of process where service is refused or unclaimed.

By Senator Hilliard:

S. 254. To amend Section 12-3-27, Code of Alabama 1975, which provides for the appointment of law clerks by judges of the courts of appeals, so as to provide that the judges of the courts of criminal appeals may appoint an additional clerk.

Senator Corbett, Chairperson of the Standing Committee on Business and Labor Relations, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator deGraffenried:

S. 84. To amend Section 16-13-52, Code of Alabama, 1975, relating to the minimum school program fund, so as to change the attendance period for apportioning the minimum program fund from the first four scholastic months to the first two scholastic months for the preceding school year and to repeal subsection (b).

By Senator deGraffenried:

S. 135. To amend Section 10-3A-2(8) of the Code of Alabama 1975, which section relates to the Alabama Nonprofit Corporation Act, so as to amend the definition of members to include a domestic or foreign nonprofit corporation.

By Senator Bennett:

S. 148. To amend Sections 25-8-4, 25-8-8, and 25-8-16, Code of Alabama, 1975, so as to bring Alabama's Child Labor statutes into agreement with existing Federal regulations pertaining to working hours of children under age sixteen and establishes additional specific working hours for certain children enrolled in school and also provides for exemptions to established work hours.

Senator Parsons, Chairperson of the Standing Committee on Education, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Foshee (With Substitute):

S. 1. To prohibit any two-year or four-year public state supported institution of higher learning from continuing in residence certain students from any foreign nation which does not maintain diplomatic relations with the United States of America or which recognizes any sect or group within its jurisdiction which commits terrorist activities, kidnappings, commandeering of aircraft, injury or loss of life of American citizens, whether civilian or military, or which foreign nation does not offer protection to American emissaries and representatives in any such foreign country; and to prohibit the use of state funds at institutions failing to comply with the provisions of this act.

Senator Parsons, Chairperson of the Standing Committee on Education, reported that said committee, in session, had acted on the following bills

and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Foshee:

S. 5. To prescribe a period of time in the public schools not to exceed fifteen minutes for study of the formal procedures followed by the United States Congress, which study shall include a reading verbatim of one of the opening prayers given by either the House or Senate Chaplain at the beginning of a meeting of the United States House or Senate.

By Senators Bailey, Hand, and Dixon:

S. 81. To amend Section 16-23-4, Code of Alabama, 1975, to increase the applicant fee paid for a teaching certificate from \$10.00 to \$20.00 and to establish a fee for a substitute teaching certificate.

By Senator Bedsole:

S. 120. To amend Section 16-28-3, Code of Alabama, 1975, relating to ages of children required to attend school, so as to require a change in the age levels necessary to attend school from 7-16 to 6-16 years.

By Senator Bedsole:

S. 124. To permit local boards of education and the Alabama Institute for Deaf and Blind to use a part of their kindergarten teacher unit funds under certain conditions to employ teacher aides to assist with the kindergarten instructional program based upon criteria established by the state superintendent of education and with his prior approval.

Senator Aldridge, Chairperson of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Teague:

S. 54. To amend Section 34-23-51, Code of Alabama 1975, which provides for licensing and examinations of pharmacists, so as to provide further for the examinations of applicants for the profession.

By Senator Little:

S. 103. The Probate Court shall have authority and the duty to appoint any suitable person or agency, public or private, including a private association or non-profit corporation as a "guardian" for a developmentally disabled person.

By Senators Menton, Corbett, Cooley, Aldridge, Denton, Bedford, Amari, and Strong:

S. 86. To require the Department of Pensions and Security to charge a fee for the processing of an application for a license or approval to operate a child care facility and a fee for a change in a license or approval to operate a child care facility. To provide that no fee shall be charged for the processing of an application for a license or approval to operate a foster family home, child care institution, institution for child care or group home. To require that said fees shall be deposited in the State Treasury to the credit of the State Public Welfare Trust Fund.

By Senator Teague:

S. 121. Relating to the practice of veterinary medicine and surgery in Alabama; to provide for the issuance, suspension, revocation and renewal of licenses for persons admitted to or engaged in the practice of veterinary medicine as a veterinarian or veterinary technician; to create the Alabama State Board of Veterinary Medicine to administer the act; to provide for its organization, officers, jurisdiction, powers and duties; to provide for certain inspections of facilities and the issuance of premise permits; to provide for hearings and appeals; to impose fees and charges and provide for the use of such; to prescribe penalties; and to repeal conflicting laws and to specifically repeal Sections 34-29-1 through 34-29-6, 34-29-20 through 34-29-23 and 34-29-40 through 34-29-46 of the Code of Alabama 1975.

By Senators Strong, Drinkard, Menton, Teague, Ellis, Bennett, Bedsole, Bedford, Aldridge, Horn, Langford, and Goodwin:

S. 127. To abolish any zoning law, ordinance or regulation which prohibits mentally retarded or mentally ill persons from living in a natural residential environment zoned "multi family" as it appears in zoning laws or ordinances so as not to exclude certain groupings of mentally retarded or mentally ill persons.

By Senators Aldridge and Denton:

S. 206. Relating to "The Lifesaving Organ Procurement Act of 1986", to state the Legislative intent; to define the word "organ" and "attending physician", to better provide for the public health by providing that on the occurrence of death of a patient in a hospital, who has not made an anatomical gift to take place upon death, the hospital administrator, or designated representative to request, of specified survivors, in accordance with Section 22-19-42 (b), Code of Alabama, 1975, in the order of priority stated, and when persons in prior classes are not available at the time of death, and in the absence of actual notice to the contrary by the decedent or one in a prior class, to consent to the gift of organs of the decedent's body; to provide such request and its disposition shall be noted in the patient's medical record; to provide, where, based upon medical criteria that such a request would not yield an anatomical gift which would be suitable for use, or, where, based upon the special and peculiar knowledge of the attending physician and/or concerning the circumstances surrounding the death of the patient, there is an exception to the request required by this Article and such determination shall be noted in the patient's medical record; to provide for immunity from civil damages or criminal prosecution to any person who acts in good faith accord; and to provide that the provisions of this Article are cumulative and, insofar as possible, shall be construed in *pari materia* with other laws relating to the public health and anatomical gifts.

Senator Aldridge, Chairperson of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senators Aldridge and Denton (With Substitute):

S. 214. Relating to the acquisition and transportation and transplantation of donor organs; to state the legislative intent; to define the terms chairman, person, quality assurance, organ and service; to provide that the

chairman is to establish policies, procedures and standards and certify compliance with the established quality assurance standards of persons engaging in organ acquisition, and/or transportation, and/or transplantation but Chairman shall not certify a person until that person possesses and demonstrates to the Chairman the necessary knowledge and technical skills to comply with the established standards of quality assurance; to provide that persons providing any service pertaining to the acquisition and/or transportation and/or transplantation of organs shall strictly adhere to and follow established quality assurance standards; to provide for sanctions for persons providing services in violation of the established policies and procedures and standards of the Chairman for quality assurance in that they shall not receive reimbursement for such services from programs administered by the State of Alabama, and that Chairman will recommend to other reimbursing agencies that reimbursement be denied; to provide for immunity from civil damages or criminal prosecution to any person who, in good faith, follows the policies and procedures and standards established by the Chairman, and complies with the provisions of the Alabama Uniform Anatomical Gift Act; and to provide the Article is cumulative and to be construed in pari materia with other laws relating to the public health and anatomical gifts and when standards of quality assurance are adopted by the federal government, Alabama standards shall be consistent with federal regulations.

Senator Aldridge, Chairperson of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senators Bailey, Mitchem, Barron, Cabaniss, Bedford, Foshee, Hand, Denton, Teague, Goodwin, Menton, Covington, and Parsons:

S. 232. To require notice to a parent prior to performing an abortion on an unemancipated minor who is less than eighteen years old, or any mentally incompetent person, regardless of age, under the guardianship of another, to the extent constitutionally permissible; to provide for the enforcement of this Act; and to prescribe penalties for violations.

Senator Smith (J), Chairperson of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Menton:

S. 172. To require insurance companies which sell medical liability insurance in this state to report to the appropriate state licensing agencies any judgment or settlement resulting from a claim for personal injuries caused by an error, omission or negligence in the performance of professional services; to provide for the form and content of the report made by the insurance company; to provide for the confidentiality of all reports required by this provision and all findings and records made by the licensing board thereon; to provide penalties for failure to make required reports; to provide for the severability of the provisions of this act; to provide for the repeal of all laws in conflict with this act; and to provide an effective date for this Act.

By Senator Langford:

S. 70. To amend Section 19-3-120, Code of Alabama 1975, which provides for the classes of authorized investments, in which trustees, executors,

administrators and other fiduciaries may invest, so as to include the African Development Bank within such classes of investments.

By Senator Langford:

S. 67. To amend Section 27-41-14, Code of Alabama 1975, which provides for investments of life, disability and burial insurance companies, so as to allow said companies to invest in the African Development Bank.

Senator Denton, Chairperson of the Standing Committee on Commerce, Transportation, and Utilities, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senators Parsons, Teague, Amari, Cabaniss, Hilliard, Drinkard, Little, Holmes, Goodwin, Bedford, Bennett, Smith (J), Menton, Barron, Corbett, Horn, Dixon, and Ellis:

S. 142. To grant tax exemptions for the benefit of certain air carriers; to exempt from the tax levied by Article 6 of Chapter 3 of Title 28 of the Code of Alabama 1975 on the sale of spirituous or vinous liquors certain sales of spirituous or vinous liquors to a certificated or licensed air carrier with "a hub operation within this state," as herein defined; to amend Section 40-9-1, Code of Alabama 1975, by adding subdivision (24) to exempt from ad valorem tax all aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-12-223, Code of Alabama 1975, by adding subdivision (13) to exempt from rental tax the gross proceeds accruing from the leasing or rental of aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-14-41, Code of Alabama 1975, by adding subdivision (d)(2)(E) to provide for a deduction from the amount of capital employed in the state for purposes of computing the franchise tax applicable to foreign corporations the amount invested by the taxpayer in all real and personal property, equipment, facilities, structures and components thereof including all aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-17-31, Code of Alabama 1975, by adding subdivision (d)(4) to exempt from excise tax gasoline or other fuel used to propel aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-4, Code of Alabama 1975, by adding subdivision (40) to exempt from sales tax the gross receipts from the sale of aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-4 by adding subdivision (41) to exempt from sales tax the gross receipts from the sale of hot or cold food and beverage products sold to or by a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-62, Code of Alabama 1975, by adding subdivision (32) to exempt from use tax the storage, use or other consumption of any aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation

within this state; and to further amend Section 40-23-62, Code of Alabama 1975, by adding subdivision (33) to exempt from use tax the storage, use or other consumption of hot or cold food and beverage products sold to or by a certificated or licensed air carrier with a hub operation within this state.

Senator Foshee, Chairperson of the Standing Committee on Buildings and Grounds, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senators Goodwin, Teague, and Foshee:

S. 107. To amend section 36-21-9 of the Code of Alabama 1975, which provides for a card authorizing an honorably retired law enforcement officer to carry a handgun so as to change the issuance of the card from an annual to a permanent basis.

Senator Bedford, Chairperson of the Standing Committee on Student and Youth Activities, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Bennett and Amari:

S. 30. To provide that a court of this State may require an obligor to post bond, give security, or give some other guarantee to secure the payment of overdue support.

By Senators Bennett and Amari:

S. 32. To amend sections 38-10-2 through 38-10-9, Code of Alabama 1975, which provide for the Department of Pensions and Security to operate child support programs, so as to further comply with the requirements of Title IV-D of the Social Security Act; to provide for the enforcement of spousal support as incidental to the enforcement of child support as required by Title IV-D of the Social Security Act; to provide for the establishment and modification of support orders; to provide a definition of collection agent; to provide that the acceptance of aid shall be deemed an assignment to the Department of Pensions and Security of rights to support; to clarify that, in a case where there is a court order of support, the liability for the debt to the department created pursuant to such an assignment of support rights shall apply only with respect to the support payments owed for the period of time during which aid is granted; to provide for the collection and distribution of support; and to provide for the operation of a support program; and designation of the department as the agency to administer income withholding.

By Senator Covington:

S. 201. To provide additional remedies to the Interstate Compact on Juveniles by permitting a state in which a juvenile is charged with being delinquent by reason of violating any criminal law to requisition said juvenile from another state.

Senator Holmes, Chairperson of the Standing Committee on Small Business, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Foshee:

S. 41. To amend Section 34-27-35 of the Code of Alabama 1975, relating to the regulation of real estate companies, brokers, and salesmen, so as to provide further for annual license fees.

Senator Holmes, Chairperson of the Standing Committee on Small Business, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senators Holmes, Teague, Cooley, Mitchem, Bennett, Denton, Foshee, Drinkard, Amari, Dial, Aldridge, Hand, Dixon, deGraffenried, Covington, Corbett, Menton, Strong, Langford, Bedsole, Smith (J), Goodwin, and Bedford (With Substitute):

S. 169. To provide for criminal penalties and civil liability for the theft of certain cable television services, and to provide for the confiscation of certain equipment used in the theft of any such cable television services.

Senator Holmes, Chairperson of the Standing Committee on Small Business, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Teague:

S. 114. Relating to the licensing of real estate brokers and salesmen; to amend Section 34-27-35 of the Code of Alabama 1975 so as to provide for certain continuing education requirements for license renewal.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Ellis:

S. 4. Proposing an amendment to the Constitution of Alabama of 1901 relating to Shelby County so as to prohibit annexation of territory within Shelby County by out of county municipalities without a vote of the people of Shelby County.

The above Bill was read a second time at length as required by the Constitution.

By Senator Ellis (With Notice and Proof):

S. 18. To amend Act No. 39, H. 67, Second Special Session, 1971 (Acts 1971, p. 4173) to permit the application of chemical substances by aircraft in Shelby County under certain conditions.

By Senator Langford (With Notice and Proof):

S. 33. Relating to Montgomery County; providing further for the compensation of the sheriff effective upon the expiration of the present term of office.



By Senator Cooley (With Notice and Proof):

S. 60. Relating to Cullman County; to amend further Act No. 711, H. 1109, Regular Session 1976 (Acts 1976, p. 991), as amended by Act No. 81-1037, H. 38, Second Special Session 1981 (Special Session Acts 1981, p. 237), and Act No. 85-886, H. 13, Regular Session 1985, which act charges a court cost in criminal cases to be remitted to the juvenile probation fund and the county sheriff's office, so as to charge an additional \$3.00 court cost on each criminal case in the county, the proceeds to be earmarked for juvenile programs, and expenses and subsistence for the juvenile probation officer's office, to specifically repeal Act 85-886, H. 13, 1985 Regular Session, and to provide that this act shall be retroactively effective to September 19, 1985.

By Senator Denton (With Notice and Proof):

S. 63. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of St. Florian in Lauderdale County.

Senator Bailey, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Bedford, Amari, Hilliard, Menton, Denton, Bennett, Drinkard, and Strong:

S. 147. To establish a condemnation law of the State of Alabama for vehicles and equipment used in setting woodland or grassland fires and to further set forth a procedure whereby vehicles and equipment used in connection with such unlawful acts be condemned by appropriate authorities and the same sold or awarded by court order to the State Forester for use or resale in enforcement of Code of Ala. (1975), Sec. 9-13-11(a)(1).

Senator Bailey, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senators Hand, Bedford, Bedsole, Mitchem, Dial, Foshee, Holmes, Cabaniss, Denton, Aldridge, Bishop, Teague, Barron, Strong, Cooley, deGraffenried, Smith (B), Goodwin, Menton, Smith (J), Figures, Dixon, Ellis, Covington, and Bailey (With Amendment):

S. 210. To create and establish a state forest industrial development board; to provide for the membership and meetings of such a board; to prescribe the responsibilities and functions for such board; and to make an appropriation from the state general fund for such board.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Faulk (With Notice and Proof):

H. 27. Relating to Butler County; abolishing the office of constable in such county.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 27, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. White (L) (With Notice and Proof):

H. 34. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Alexander City, in Tallapoosa County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 34, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Goodwin, Starkey, and Clark (D) (With Notice and Proof):

H. 50. Relating to Lauderdale County; to extend, alter, and rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 50, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Hammett (With Notice and Proof):

H. 109. To provide for the total county salary supplement for the district judge of the 22nd Judicial Circuit; and to repeal conflicting laws.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 109, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Hammett (With Notice and Proof):

H. 110. Relating to Covington County; to require the installation and maintenance of an improved system of indexing documents affecting the title to property and other documents recorded in the office of the Judge of Probate; to provide the collection and disposition of a special indexing fee; and to provide that said system shall constitute official and permanent records in Covington County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 110, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Onderdonk (With Notice and Proof):

H. 161. Proposing an amendment to the Constitution of 1901, creating the Washington County Port Authority; providing for its powers and duties; repealing conflicting provisions of this Constitution, 1901.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 161, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Carter (With Notice and Proof):

H. 201. Relating to Limestone County; to provide further for the duties of the Probate Judge so as to allow the Probate Judge of Limestone County, Alabama, to have one general index book relative to transactions in the Probate Office of Limestone County and making the provisions retroactive to January 1, 1974.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 201, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Newman (With Notice and Proof):

H. 239. Relating to Fayette County; providing for an additional expense allowance for the county coroner.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 239, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 27, 34, 50, 109, 110, 161, 201, and 239—to the Committee on Local Legislation No. 1

(The above Bill, H. B. 161, was read a first time at length as required by the Constitution.)

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Campbell:

H. 136. To amend the Alabama Administrative Procedure Act, Act No. 81-855, Acts of Alabama 1981 (codified as Chapter 22, Title 41, Code of Alabama 1975), by specifically amending Section 41-22-3, Code of Alabama 1975, relating to the definition of "agency" to include the Alabama Department of Environmental Management and to delete those exempted agencies which no longer exist, and relating to the definition of "rule" to exempt from that definition hunting and fishing seasons, bag or creel limits promulgated by the commissioner of the department of conservation and natural resources, any form which is specifically required by federal statute or by federal rule or regulation, but providing that all forms must be on file with the secretary of the agency and with the legislative reference service and published in the agency administrative code and relating to the definition of "contested case" to exempt from that definition and the provisions of Sections 41-22-12 through 41-22-21, Code of Alabama 1975, certain pardon and parole hearings; by amending Section 41-22-6, Code of Alabama 1975, relating to the effective dates of rules so as to permit an effective date of less than 35 days where the action is required by or to comply with a federal statute or regulation which requires adoption of a rule upon fewer than 35 days' notice and to require that adopted rules be filed within 90 days after notice; by amending Section 41-22-8, Code of Alabama 1975, relating to the time limitation placed upon agency action upon a petition in writing requesting the adoption, amendment or repeal of a rule so as to grant an agency which has its next regularly scheduled meeting beyond said 60-day period, the authority upon written notice to extend the period for not more than 30 days within which to deny or initiate rule-making proceedings; by amending Section 41-22-11, Code of Alabama 1975, to correct appeals reference; by amending Section 41-22-12, Code of Alabama 1975, relating to contested cases to permit, where now permitted by existing statute, delivery of notice of hearing by first-class mail, postage prepaid, to be effective upon the deposit of the notice in the mail; and further to provide that where the statutory determinative process is a multi-level procedure, the opportunity to present evidence need be afforded at only one level in the process unless otherwise provided by statute; by amending Section 41-22-13, Code of Alabama 1975, relating to rules of evidence so as to provide that, where judicial review is by a trial de novo, it is not necessary to make objections or for the agency to rule upon objections during a hearing, where such procedure is announced in advance of hearing, but requires the agency in such case to consider only such testimony and evidence as is relevant, material, competent and legal; by amending Section 41-22-16, Code of Alabama 1975, relating to final decisions and orders to provide that notification of all orders, except the final order, may where permitted by existing statute, be delivered by first-class mail, postage prepaid, and delivery to be effective upon deposit of the notice in the mail; by amending Section 41-22-20, Code of Alabama 1975, relating to judicial review of contested cases to require that a cost bond must be filed with the agency in order to initiate appeal or review; to make the 30-day period within which to appeal or to institute judicial review uniform in all cases, to provide for appeal or review by the courts by a trial de novo where permitted by existing or future statute; to provide that appeals from agency orders may also be filed in the circuit court of Montgomery County; by amending Section 41-22-21, Code of Alabama 1975, relating to appeals from final judgments of circuit courts to require that an appeal must be taken to the appropriate appellate court within 42 days from entry of judgment; by amending Section 41-22-23, Code of Alabama 1975, to clarify the time in which the joint committee on administrative regulation review

has to approve or disapprove a proposed regulation and to provide further for the number of copies of a proposed rule an agency shall furnish the committee; by amending Section 41-22-24 to provide the procedure for reconsideration of disapproved rules by the legislature; amending Sections 41-22-25 and 41-22-27, Code of Alabama 1975, to clarify the effective date and publication date of the Alabama Administrative Procedure Act; and repealing the exemption of the Alabama Department of Environmental Management as set forth in Section 14(d) of Act No. 82-612, Acts of Alabama 1982.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 136— to the Committee on Governmental Affairs

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harvey:

H. 96. Proposing an amendment to the Constitution of Alabama relating to prohibiting any municipality originally incorporated outside of Blount County and having its city hall or municipal headquarters located outside of the boundaries of Blount County from annexing any future territory in Blount County without prior referendum approval of a majority of the qualified electors living within the area to be annexed; and providing for such referendum elections.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 96—to the Committee on Local Legislation No. 1

(The above Bill, H. B. 96, was read a first time at length as required by the Constitution.)

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Rice, Drake, and Hooper:

H. J. R. 88. STRONGLY URGING THE STATE BOARD OF EDUCATION TO IMPLEMENT A PROGRAM TO TEACH CHARACTER AND CITIZENSHIP IN ALABAMA'S PUBLIC SCHOOLS.

WHEREAS, the American Bar Association in 1984 by resolution called for "the establishment of character and citizenship programs in public schools"; and

WHEREAS, the American Judges Association by resolution in 1982 "endorses the principle of restoring character education in our schools"; and

WHEREAS, Dr. Steven Muller, President of Johns Hopkins University has observed, "Since World War II, we've seen the greatest disintegration of the social consensus and the most accelerated pace and degree of change in human history. As a result, all of our institutions have lost a coherent set of values—including universities"; and

WHEREAS, the Maryland Values Education Commission report and the Hastings Center report agree that the task of passing on the values necessary to strengthen and maintain a society of free people is much too important to be left to a casual, ad hoc approach and specifically recommends a planned program in every grade, kindergarten through twelve, which should be organized, comprehensive, sequential and verified; and

WHEREAS, the strengthening and renewal of character and citizenship education should be one of our State's and our Nation's top priorities; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the state board of education is hereby strongly urged to develop a program for the various local boards of education which provides for character and citizenship education to be taught in the public schools of this state, and that the program shall include all grades and shall be planned, organized, comprehensive, sequential and verified by the state board of education; and that strong consideration be given to the American Institute for Character Education, of San Antonio, Texas, or their equal.

RESOLVED FURTHER, That the state board of education provide annually a written report on the progress of the development of such a plan to the governor, and to the legislature by the 15th legislative day of each regular session.

RESOLVED FURTHER, The state board seeks to activate these programs in the fall of 1986.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 88, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Tanner, Adams, Albright, Bachus, Beasley, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Drake, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Johnson (RG), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Newman, Newton, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L), and Zoghby:

H. J. R. 87. WISHING OUR FRIEND AND COLLEAGUE, REPRESENTATIVE SONNY MOORE, A SPEEDY RECOVERY.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 87, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Bugg:

H. J. R. 81. COMMENDING CAROLYN VEASY OF GADSDEN, ALABAMA, MISS ALABAMA STATE UNIVERSITY 1984-1985.

Also:

By Rep. Bugg:

H. J. R. 82. HONORING MAURICE DEAN OF GADSDEN, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

By Rep. Bugg:

H. J. R. 83. COMMENDING CLARENCE W. DAUGETTE OF GADSDEN, ALABAMA, AS ETOWAH COUNTY'S PATRIOT OF THE YEAR.

Also:

By Reps. Crow, Browder, Campbell, and Blake:

H. J. R. 84. NAMING THE NATIONAL GUARD ARMORY IN OXFORD, ALABAMA, THE "AUBREY G. HICKS ARMORY."

Also:

By Rep. Cosby:

H. J. R. 85. HONORING SELMA, ALABAMA'S, DIAMOND, THE "GREAT AMERICAN DOG."

Also:

By Rep. Cosby:

H. J. R. 86. COMMENDING GAIL OGLE OF SELMA, ALABAMA, FOR OUTSTANDING ATHLETIC ACCOMPLISHMENT.

Also:

By Rep. Gaston:

H. J. R. 93. COMMENDING CHARLES G. MUNDEN OF MOBILE, ALABAMA, ENGINEER OF THE YEAR FOR PROFESSIONAL ENGINEERS IN PRIVATE PRACTICE.

Also:

By Reps. Gaston and Kvalheim:

H. J. R. 94. COMMENDING JOSEPH NIGOTA OF MOBILE, ALABAMA, 1985 UNIVERSITY OF SOUTH ALABAMA PROFESSOR OF THE YEAR.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolutions, H.J.R.'s 81, 82, 83, 84, 85, 86, 93, and 94, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Gaston, Turner, Marietta, and Kvalheim:

H. J. R. 68. COMMENDING WILLIAM C. MORRIS OF MOBILE, RENOWNED ARTIST AND COMMUNITY LEADER.

Also:

By Rep. Gaston:

H. J. R. 69. COMMENDING MARGARET SOLBERGER OF MOBILE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Also:

By Rep. Cosby:

H. J. R. 70. COMMENDING KATHRYN TUCKER WINDHAM OF SELMA, ALABAMA, RECIPIENT OF THE 1985 "LIVING FOR AMERICA" AWARD.



Also:

By Rep. Cosby:

H. J. R. 71. COMMENDING THE EDGEWOOD JUNIOR GARDENERS OF EDGEWOOD ELEMENTARY SCHOOL, SELMA, ALABAMA.

Also:

By Rep. Lindsey:

H. J. R. 72. COMMENDING THE SAND ROCK HIGH SCHOOL WILDCATS, STATE 1A FOOTBALL CHAMPIONS FOR 1985.

Also:

By Rep. Lindsey:

H. J. R. 73. CONGRATULATING BARRY S. COCHRAN, EXECUTIVE DIRECTOR OF BAPTIST MEDICAL CENTER CHEROKEE.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolutions, H.J.R.'s 68, 69, 70, 71, 72, and 73, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Hooper, Mr. Speaker, Adams, Albright, Bachus, Beasley, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Johnson (RG), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Newton, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L), and Zoghby:

H. J. R. 66. COMMENDING BOBBYE M. BONHAM FOR HER LONG AND ABLE SERVICE IN THE FIELD OF PUBLIC EDUCATION AND WISHING HER A HAPPY RETIREMENT.

Also:

By Rep. Hooper:

H. J. R. 67. RECOGNIZING AND ENDORSING JANUARY 20-24, 1986, AS LAW AWARENESS WEEK IN ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolutions, H.J.R.'s 66 and 67, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Bowling, Drake, Adams, Albright, Bachus, Beasley, Beers, Biddle, Black, Blake, Blakeney, Boles, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Johnson (RG), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Newton, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L), and Zoghby:

H. J. R. 40. MOURNING THE DEATH OF JOHN R. SPARKS OF CULLMAN COUNTY, ALABAMA.

Also:

By Reps. Drake and Bowling:

H. J. R. 42. COMMENDING CULLMAN HIGH SCHOOL ON ITS OUTSTANDING 1985 FOOTBALL SEASON.

Also:

By Reps. Drake and Bowling:

H. J. R. 44. CONGRATULATING HANCEVILLE HIGH SCHOOL, 1985 4A AREA 13 FOOTBALL CHAMPIONS.

Also:

By Reps. Drake and Bowling:

H. J. R. 46. COMMENDING WILLIAM HUGH SHELTON OF CULLMAN, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

By Reps. Drake and Bowling:

H. J. R. 48. COMMENDING DR. IRA L. MYERS FOR DISTINGUISHED SERVICE TO THE STATE OF ALABAMA.

Also:

By Reps. Drake and Bowling:

H. J. R. 50. COMMENDING THE VINEMONT HIGH SCHOOL EAGLES ON THEIR OUTSTANDING 1985 FOOTBALL SEASON.

Also:

By Reps. Drake and Bowling:

H. J. R. 52. COMMENDING THE GOOD HOPE HIGH SCHOOL VOLLEYBALL "A" TEAM.

Also:

By Reps. Drake and Bowling:

H. J. R. 54. COMMENDING WEST POINT HIGH SCHOOL ON ITS OUTSTANDING 1985 FOOTBALL SEASON.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolutions, H.J.R.'s 40, 42, 44, 46, 48, 50, 52, and 54, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Joint Resolution:

H. J. R. 33. RELATIVE TO MAKING MARTIN LUTHER KING, JR.'S BIRTHDAY A STATE HOLIDAY IN THE STATE OF ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 24. RECOGNIZING THE KIMBERLY CLARK CORPORATION AND ITS CHILDERSBURG PLANT FOR SIGNIFICANT CONTRIBUTIONS TO THE COMMUNITY AND THE ENTIRE STATE OF ALABAMA.

Also:

S. J. R. 26. COMMENDING ARTHUR H. BAUGH OF ALBERTVILLE, ALABAMA, ON HIS DISTINGUISHED CAREER IN PUBLIC EDUCATION.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 18. NAMING THE ALABAMA SHAKESPEARE FESTIVAL THEATRE, IN MONTGOMERY, ALABAMA, "THE CAROLYN BLOUNT THEATRE."

Also:

S. J. R. 21. COMMENDING THE EDGEWOOD JUNIOR GARDENERS OF EDGEWOOD ELEMENTARY SCHOOL, SELMA, ALABAMA.

Also:

S. J. R. 22. COMMENDING KATHRYN TUCKER WINDHAM OF SELMA, ALABAMA, RECIPIENT OF THE 1985 "LIVING FOR AMERICA" AWARD.

Also:

S. J. R. 37. COMMENDING MISS EMMA MANNING, MONTGOMERY, ALABAMA, ON THE OCCASION OF HER 80TH BIRTHDAY.

Also:

S. J. R. 39. MOURNING THE DEATH OF FORMER STATE REPRESENTATIVE BROOKS HINES OF BREWTON, ALABAMA.

Also:

S. J. R. 40. COMMENDING AUBURN UNIVERSITY'S BO JACKSON AS THE RECIPIENT OF THE 1985 HEISMAN TROPHY.

JOHN W. PEMBERTON,  
Clerk.

## RESOLUTIONS

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 59. COMMENDING GRADY B. WARD OF FLORENCE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Also:

S. R. 60. COMMENDING EARL DAVIS MCNEAL, PROMINENT HUNTSVILLE ATTORNEY.

Also:

S. R. 61. COMMENDING CLYDE RILEY OF HUNTSVILLE, ALABAMA.

Which were adopted.

## BILLS ON THIRD READING

### THE BILL:

S. 89. Relating to banks, banking and branch banking which: amends Title 5 of the Alabama Code of 1975 by adding Chapter 13A so as to create the "Alabama Regional Reciprocal Banking Act of 1986"; provides definitions; authorizes any bank holding company whose principal place of business is in any one of certain jurisdictions to acquire banks and bank holding companies located in Alabama under certain conditions and limitations; requires divestiture in certain circumstances; provides applicable law and for regulatory supervision and enforcement authority; provides for application fees; provides for severability of provisions; restricts amendment of §5-5A-20, Code of Alabama, 1975; and provides an effective date.

was taken up.

The Standing Committee on Banking and Insurance reported the following amendment to the Bill, S. B. 89, to-wit:

**AMENDMENT TO S. B. 89**

Amend S. 89 as follows:

On page one, on line 10, after the period, add the following:

It allows for branching.

On line 13 after the date 1975, delete the period and add

, which relates to branch banks, except for certain exceptions.

On line 14, delete the period and add:

, except for certain of its provisions which are effective immediately.

On page one, in the title, on line 27 after the semi-colon add:

allows for certain branches in certain municipalities or towns and under certain other conditions;

On page one, in the title, on line 32, after "1975" add the following:

, which relates to branch banks, except for certain exceptions

On line 32, delete the period and add:

, and provides for certain exceptions of applicability.

On page 9, in line 18, delete the period and add the following:

, except that any bank presently having a branch in a multi-county municipality or town, where such branch is located in a county other than its main office, shall be authorized by local law to branch from that branch to such extent as if its main office was located in that county.

On page 9, in line 22, delete the period and insert:

, except as otherwise provided

On page 9, in line 23, delete the word "This" and insert the following:

The provisions of this and on line 24, delete the period and add the following:

, except Section 5-13A-10, which shall become effective immediately upon the passage of this act and approval by the Governor, or upon its otherwise becoming a law or except as otherwise herein expressly provided.

Senator Cooley moved that said amendment be laid on the table, which motion was lost.

Yeas 9; Nays 17.

*Yeas:*

Senators:	Cooley	Ellis	Holmes
Bailey	Dial	Hand	Mitchem
Bedsole	Drinkard		

*Nays:*

Senators:	Covington	Goodwin	Parsons
Barron	deGraffenried	Hilliard	Smith (B)
Bedford	Denton	Langford	Strong
Bennett	Figures	Little	Teague
Corbett	Foshee		

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Senator Ellis offered the following substitute amendment to the Committee amendment to the Bill, S.B. 89, to-wit:

### **SUBSTITUTE AMENDMENT TO COMMITTEE AMENDMENT TO S. B. 89**

Amend S. 89 as follows:

On page one, on line 10, after the period, add the following:

It allows for branching.

On line 13 after the date 1975, delete the period and add:

, which relates to branch banks, except for certain exceptions.

On line 14, delete the period and add:

, except for certain of its provisions which are effective immediately.

On page one, in the title, on line 27 after the semi-colon add:

allows for certain branches in certain municipalities or towns and under certain other conditions;

On page one, in the title, on line 32, after "1975" add the following:

, which relates to branch banks, except for certain exceptions

On line 32, delete the period and add:

, and provides for certain exceptions of applicability.

On page 9, in line 18, delete the period and add the following:

, except that any bank presently having a branch in a multi-county municipality or town, where such branch is located in a county other than its main office, shall be authorized by local law to branch from that branch to such extent as if its main office was located in that county.

On page 9, in line 22, delete the period and insert:

, except as otherwise provided

On page 9, in line 23, delete the word "This" and insert the following:

The provisions of this and on line 24, delete the period and add the following:

, except Section 5-13A-10, which shall become effective immediately upon the passage of this act and approval by the Governor, or upon its otherwise becoming a law or except as otherwise herein expressly provided.

On page 9, line 24, delete the language "July 1, 1987" and insert in lieu thereof:

July 1, 1997

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Turner:

**H. J. R. 74. REQUESTING THE ATTORNEY GENERAL AND STATE INSURANCE COMMISSIONER TO ENFORCE THE PROVISIONS OF SECTION 27-1-10 OF THE CODE OF ALABAMA.**

WHEREAS, this legislature in 1975 passed an act that was placed in the Code of Alabama as Section 27-1-10 which reads as follows:

“§ 27-1-10. Payment for health services of chiropractor; insured to have exclusive right to select practitioner of healing arts.

“Any contract or policy of insurance or any plan or agreement for health services providing for reimbursement or payment for health services performed by a medical doctor or physician or upon the certification of a medical doctor, surgeon, osteopath or physician, shall also reimburse or pay for such health services performed by a doctor of chiropractic or upon his certificate; provided, that the health services performed by the doctor of chiropractic are within the scope of his license and he is duly licensed by the state of Alabama.

“The insured or such other person entitled to benefits under such contract or policy of insurance or plan or agreement for health services shall have the exclusive right to choose or select any practitioner or member of the healing arts of Alabama to perform such services, notwithstanding any provisions of such contract or policy of insurance or plan or agreement for health services to the contrary. (Acts 1975, No. 1101, §1.)”; and

WHEREAS, by the passage of this act, this legislature was making it eminently clear, and making it a right protected by law, that each citizen could choose the type of health care practitioner to perform health services and to be reimbursed by their insurance carrier for the services rendered regardless of the branch of the healing arts chosen; and

WHEREAS, it has come to the attention of the legislature that some health service insurance carriers doing business in this state are not abiding by the provisions of the above-cited law; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That we do respectfully request the Attorney General and the Insurance Commissioner of this state to see that the provisions of Section 27-1-10, Code of Alabama 1975, are fully enforced against any health service insurance carrier doing business in this state and to take appropriate action against any such carrier refusing or failing to obey the laws of this state.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolution, H. J. R. 74, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

**FURTHER CONSIDERATION OF S. B. 89**

The Senate proceeded to further consideration of the Bill, S. B. 89. The question was on the substitute amendment to the Committee amendment to the Bill, S. B. 89.

**ADJOURNMENT**

At 2:15 P.M., on motion of Senator deGraffenried, pending further consideration of S. B. 89, the Senate adjourned until Tuesday, January 28, 1986, at 2 o'clock P.M.



**FIFTH LEGISLATIVE DAY**  
**TUESDAY, JANUARY 28, 1986**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

**PRAYER**

The Session was opened with prayer by Dr. Karl K. Stegall, Minister, First United Methodist Church, Montgomery, Alabama.

**PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Patrick A. Shires, Sidney Lanier High School, Montgomery, Alabama.

**ROLL CALL**

Present:

Senators:	Cooley	Ellis	Little
Aldridge	Corbett	Foshee	Menton
Amari	Covington	Goodwin	Mitchem
Bailey	deGraffenried	Hand	Parsons
Barron	Denton	Hilliard	Sanders
Bedford	Dial	Holmes	Smith (J)
Bedsole	Dixon	Horn	Strong
Bennett	Drinkard	Langford	Teague
Bishop			

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**JOURNAL**

On motion of Senator Teague, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fourth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

**COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Fourth Legislative Day was approved by the Senate.

**LEAVE OF ABSENCE**

On motion of Senator Teague, leave of absence was granted Senators Cabaniss, Figures, and Smith (B) for today.

**MEMORIAM PAGE**

On motion of Senator Bennett, unanimous consent was granted to dedicate a memoriam page in honor of the astronauts aboard Challenger 74.

IN MEMORIAM

FRANCIS R. SCOBEE

MIKE SMITH

RONALD E. McNAIR

LT. COL. ELLISON S. ONIZUKA

JUDY RESNIK

GREGORY JARVIS

SHARON CHRISTA McAULIFFE

CHALLENGER 74 CREW

JANUARY 28, 1986

**REPORT OF  
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 18. NAMING THE ALABAMA SHAKESPEARE FESTIVAL THEATRE, IN MONTGOMERY, ALABAMA, "THE CAROLYN BLOUNT THEATRE."

Also:

S. J. R. 21. COMMENDING THE EDGEWOOD JUNIOR GARDENERS OF EDGEWOOD ELEMENTARY SCHOOL, SELMA, ALABAMA.

Also:

S. J. R. 22. COMMENDING KATHRYN TUCKER WINDHAM OF SELMA, ALABAMA, RECIPIENT OF THE 1985 "LIVING FOR AMERICA" AWARD.

Also:

S. J. R. 24. RECOGNIZING THE KIMBERLY CLARK CORPORATION AND ITS CHILDERSBURG PLANT FOR SIGNIFICANT CONTRIBUTIONS TO THE COMMUNITY AND THE ENTIRE STATE OF ALABAMA.

Also:

S. J. R. 26. COMMENDING ARTHUR H. BAUGH OF ALBERTVILLE, ALABAMA, ON HIS DISTINGUISHED CAREER IN PUBLIC EDUCATION.

Also:

S. J. R. 37. COMMENDING MISS EMMA MANNING, MONTGOMERY, ALABAMA, ON THE OCCASION OF HER 80TH BIRTHDAY.

Also:

S. J. R. 39. MOURNING THE DEATH OF FORMER STATE REPRESENTATIVE BROOKS HINES OF BREWTON, ALABAMA.

Also:

S. J. R. 40. COMMENDING AUBURN UNIVERSITY'S BO JACKSON AS THE RECIPIENT OF THE 1985 HEISMAN TROPHY.

CHARLES BISHOP,  
Chairperson.

**SIGNING OF RESOLUTIONS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing

Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

## RESOLUTIONS

Senators Hand and Mitchem offered the following Senate Resolution, to-wit:

S. R. 62. COMMENDING JODEL DAUGHERTY ON A DISTINGUISHED NURSING CAREER.

Which was read and referred to the Standing Committee on Rules.

Senator Goodwin offered the following Senate Joint Resolution, to-wit:

S. J. R. 63. COMMENDING SUSAN COURTNEY HEDGEPEETH, ALABAMA'S JUNIOR MISS 1986.

WHEREAS, in consensus of highest commendation, the Legislature of Alabama congratulates Susan Courtney Hedgepeth of Selma, Alabama's Junior Miss for 1986; and

WHEREAS, Miss Hedgepeth, the daughter of Mr. and Mrs. E. M. Hedgepeth, Jr., was crowned during the State Pageant Finals in Montgomery, and was chosen from a statewide field of fifty-two contestants; and

WHEREAS, Alabama's new Junior Miss is indeed a beautiful and charming young lady, and is a seventeen-year-old senior and honor student at Morgan Academy where she is involved in numerous academic and extra-curricular activities; and

WHEREAS, Miss Hedgepeth is president of Morgan Academy's chapter of the National Honor Society, Most Outstanding Junior Math Student, Senior Class vice president, Student Government Association secretary, secretary of F.C.A., Girl's State delegate, Pioneer Electric Essay Contest winner, Co-Head Cheerleader, APSA All-Star, Senior Class Who's Who "Most Likely to Succeed," Miss Usherette, Pilgrimage Junior Hostess, Enrichment Program Leader and Homecoming Maid; and

WHEREAS, Courtney, who scored in the top 10% of NEDT participants, also is a member of the Math Club, Beta Club, Society of Distinguished American High School Students, French Club, Tennis Team, the U. S. Achievement Academy Mathematics Team, and St. Paul's Episcopal Church where she is involved with the Choir, youth program and many other church activities; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend, for outstanding accomplishment, Susan Courtney Hedgepeth, Alabama Junior Miss 1986.

BE IT FURTHER RESOLVED, That in token of our sincere regard and warm best wishes for every future success, a copy of this resolution shall be forwarded to Miss Hedgepeth.

On motion of Senator Goodwin, the Rules were suspended and the Resolution was adopted by the Senate.

**MOTION IN WRITING**

Senator Bedford offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 72, on page 18 of the Fifth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 72, referred to the Standing Committee on Rules for placement on the Consent Calendar.

**RESOLUTION**

Senators Hilliard and Horn offered the following Senate Joint Resolution, to-wit:

S. J. R. 64. NAMING ACT NO. 79-322, S. 55, 1979 REGULAR SESSION, "THE J. RICHMOND PEARSON ACT"

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Act No. 79-322, S. 55, 1979 Regular Session, which created the Private Colleges and Universities Facilities Authority, is hereby named "The J. Richmond Pearson Act."

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to J. Richmond Pearson.

Which was read and referred to the Standing Committee on Rules.

**INTRODUCTION OF BILLS**

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Hilliard (With Notice and Proof):

S. 317. To provide for and create a public corporation for the purposes of flood control in circumstances affecting urban areas in Jefferson County, Alabama, to be known as the Jefferson County Flood Control Authority, with its principal office to be located in the City of Birmingham; to provide for a board of directors, prescribe the method of appointment and compensation of directors, their duties, powers, and authority, including the employment of employees, attorneys, architects, engineers, consultants, and agents; to authorize the State of Alabama, and counties and municipalities therein, to contract with and to appropriate funds to such Authority and to issue general obligation or revenue bonds or warrants to finance projects contracted for; to provide that the debts and obligations of the Authority shall not be the debts or obligations of the State of Alabama, or any county or municipality therein; to exempt the Authority and its property from state, county, and municipal taxation; to make the provisions thereof severable; and, to provide an effective date of the Act.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 317, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Hilliard (With Notice and Proof):

S. 318. To provide for the authorization by the county governing body and the creation in any county or counties in Alabama of a public corporation for the purposes of flood control in circumstances affecting urban areas of any one or more counties in Alabama to be known as the (name of county) Flood Control Authority with its principal office to be located in the county seat of such county; to provide for a board of directors, prescribe the method of their appointment, and the powers and duties of such Authority, including the employment of personnel, attorneys, architects, engineers, consultants and agents; to authorize the State of Alabama, and counties and municipalities therein, to contract with and to appropriate funds to such Authority and to issue general obligation or revenue bonds or warrants to finance projects contracted for; to provide that the debts and obligations of such Authority shall not be debts of the state, county or any municipality therein; to exempt the Authority and its property from state, county, and municipal taxation; to authorize state, county and municipal appropriations to such Authority; to authorize such Authority to receive federal, state, local government and private grants and authorize counties and municipal governments to contract with the Authority for projects and to finance the same with public funds; to make the provisions hereof severable; and, to establish an effective date of the Act.

Committee on Governmental Affairs.

I hereby certify that the notice and proof is attached to the Bill, S. B. 318, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Horn:

S. 319. To amend section 41-16-50, Code of Alabama 1975, which relates to competitive bids, so as to allow counties and municipalities to award contracts to a resident responsible bidder, if such resident responsible bidder's bid is no more than ten percent greater than the bid of the lowest responsible bidder.

Committee on Governmental Affairs.

By Senators Cooley, Bailey, Foshee, Teague, Holmes, Dial, Bedford, Ellis, Menton, Denton, Bishop, Covington, and Aldridge:

S. 320. To amend Section 2-7-31, Code of Alabama 1975, setting up the special awards committee for fairs and providing for duties of the committee and the maximum amount committee members receive for per diem and expenses; to delete the maximum amount of per diem and expenses allowed.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Bailey:

S. 321. To amend the title to Act 85-927, H. 176, 1985 Second Special Session, which relates to the appointment procedure for planning commissions in Class 5 municipalities, so as to clarify the title and make it consistent with the body of the act, and to provide retroactive effect to September 27, 1985.

Committee on Governmental Affairs.

By Senator Foshee:

S. 322. To further amend Section 9-11-257, Code of Alabama 1975, as last amended, relating to hunting within a certain distance of roads, public highways, and railroads and discharging a firearm; and to prescribe misdemeanor penalties therefor, so as to remove certain qualifications of distance and obtaining certain exceptions of adjacent landowners; and to specifically repeal Act No. 82-853, S. 39, 1982 Third Special Session (Acts, First, Second and Third Special Sessions 1982, p. 393), which related to hunting within certain yards of the highway.

Committee on Judiciary.

By Senator Horn (With Notice and Proof):

S. 323. To amend Article VI, Section 8 of Act No. 1272, H. 620, 1973 Regular Session (Acts 1973, p. 2124), relating to the extraordinary disability benefits of the city of Birmingham Retirement and Relief System, so as to provide that extraordinary disability benefits shall not be paid to any participant during any period that a disabled participant is able to perform other duties in his job classification or the customary duties of another job with that participant's employer, which duties or job has been offered to participant and which job pays a salary or wage equal to or greater than the salary or wage such participant was earning at the time of the incident causing the disability, and to provide that, for injuries occurring after January 1, 1986, the Board of Managers may waive the one year limitation and grant an application for extraordinary disability allowance if granted within thirty-six months after the incident resulting in such disability.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 323, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Horn (With Notice and Proof):

S. 324. To amend further Act No. 929, S. 676, Regular Session 1951 (Acts 1951, p. 1579), as extensively amended by Act No. 1272, S. 620, Regular Session 1973 (Acts 1973, p. 2124), and other amendatory acts, which relate to the establishment of a pension and relief or retirement and relief system for officers, employees, or their dependents, of any city having a population of 250,000 according to the 1970 or any subsequent federal decennial census, so as to provide further for new participants' credit for certain prior service.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 324, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Horn (With Notice and Proof):

S. 325. To provide authority to the governing body of Class I municipalities in Alabama and all municipalities in Alabama having a population of 250,000 or more according to the last and any subsequent federal decennial census to grant an expense allowance to its members for attending business



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of the city within the municipal corporate limits; to provide that the provisions hereof are severable; and to repeal all laws or parts of laws in conflict herewith.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 325, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Horn (With Notice and Proof):

S. 326. To amend Section 4.04 of Act No. 452, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, page 1004), as amended, providing a mayor-council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census, to provide the method for determining the annual salary to be paid to the mayor of such city.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 326, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senators Dixon, Smith (B), Bedsole, Dial, and Barron:

S. 327. To amend Section 6-5-332 of the Code of Alabama 1975, relating to liability for civil damages as the result of rendering emergency care to certain injured persons, so as to include immunity to certain physicians and hospitals, including the medical and nursing staff, rendering out-patient emergency medical care to certain other persons.

Committee on Judiciary.

By Senator Horn (With Notice and Proof):

S. 328. To amend Article III, Section 9 of Act No. 1272 of the Regular Session of the Legislature of Alabama of 1973, as amended by Act No. 791 of the Regular Session of the Legislature of Alabama of 1975, said section relating to investment of the fund established for a retirement and relief system for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census as established originally by Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, as amended, said Article III, Section 9 to be amended in full to provide that the Board of Managers of any such fund shall also have authority to approve investments of the fund after their making by the designee of the Board, to provide that investments of the fund in bonds and stocks of private corporations shall not exceed seventy-five percent of the funds available for investment, and, to provide that investments in stocks of private corporations shall not exceed fifty percent of the funds available for investment.

Committee on Local Legislation No. 2.

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I hereby certify that the notice and proof is attached to the Bill, S. B. 328, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Horn (With Notice and Proof):

S. 329. To amend Article VII of Act No. 1272, H. 620, 1973 Regular Session (Acts 1973, p. 2124), relating to the Board of Managers of the City of Birmingham Retirement and Relief System so as to provide that participant's loans shall be repaid in a period of forty-eight (48) months or less from the date of such loan and to provide that interest be charged on such loans in such amount as may be determined in the discretion of the Board, but not less than seven (7) percent per annum.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 329, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Horn (With Notice and Proof):

S. 330. To amend Article VI of Act No. 1272, H. 620, 1973 Regular Session of the Legislature of Alabama (Acts 1973, p. 2124), as amended, said act being an amendment of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, (1951 Acts of Alabama, page 1579, et seq.), to provide for lump-sum payment of certain small benefits.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 330, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Horn (With Notice and Proof):

S. 331. To amend Act No. 929, 1951 Regular Session (General Acts of 1951, p. 1579), as amended by Act No. 1272, 1973 Regular Session (Acts 1973, p. 2124), and as previously and subsequently amended, which created a retirement system for officers and employees in cities of two hundred thousand or more inhabitants according to the latest federal decennial census, so as to provide further for the payments of benefits during periods of re-employment.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 331, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Horn (With Notice and Proof):

S. 332. To authorize, pursuant to Section 28-3A-25(20) and (21), Code of Alabama 1975, pocket part (Act No. 80-529, Acts of Alabama 1980,

pp. 806, et seq.), Sunday sales, service and consumption of alcoholic beverages after 12:01 P.M. at duly licensed establishments and locations within counties having a population of 600,000 or more according to the last or any succeeding federal decennial census (Jefferson County), if approved by a majority of votes cast county-wide in a special election as hereinafter provided for, and, regardless of whether so approved county-wide, within any municipality, or the portion thereof situated in such county, if such sales or service in such municipality be approved by a majority of the electors of such municipality residing in such county and voting at such special election in such municipality, and providing that such Sunday sales of alcoholic beverages shall not be permitted within any such municipality, or the portion thereof situated in such county, if a majority of the electors voting at such special election in such municipality vote against such Sunday sales in such municipality; to call a special election to be held in counties having a population of 600,000 or more according to the last federal decennial census (Jefferson County) on the first Tuesday after the expiration of forty-five days after the effective date hereof, on the question of whether alcoholic beverages may be sold, served or consumed on Sundays after 12:01 P.M. at duly licensed establishments and locations which are situated in such counties, except in municipalities in which a majority voting in such election vote against such sales within such municipality; to authorize the governing body of each such county, by ordinance, to restrict and regulate such Sunday sales within such county as approved by the electors voting in such election as aforesaid; to authorize such county ordinances to provide penalties and fines for the violation thereof; to provide that such county ordinance shall not be applicable to sales within any municipality which enacts an ordinance regulating such sales within such municipality; to supersede all provisions of laws, regulations or ordinances in conflict herewith; making provisions hereof severable; and providing for the effective date of the Act.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 332, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senators Strong, Bedsole, deGraffenried, Denton, and Teague:

S. 333. To provide for the sale of fine prints; to provide that information about prints be made available to the purchasers of the prints; to provide that the seller shall disclose that the number of artists' proofs or other proofs does not exceed a certain percentage of the edition size; and to provide for a definitional section, penalties, and remedies.

Committee on Small Business.

By Senators Bedsole, Strong, and Denton:

S. 334. To provide for local governments in the State of Alabama to convert untenanted portions of commercial and industrial buildings into joint living and work quarters for artists under a redevelopment plan.

Committee on Industrial Expansion,  
Economic Growth, and Jobs.

By Senators Bedsole, Corbett, Drinkard, Bennett, and Cooley:

S. 335. To create the Dietetic/Nutrition Licensing Act and to provide for a board of examiners, and to prescribe the method of appointment; its

duties and authorities; and to provide for licensing qualifications, renewals and revocation; exemptions, reciprocity, and penalties.

Committee on Health and Welfare.

By Senator Ellis:

S. 336. To amend section 12-17-213, Code of Alabama 1975, which section relates to minimum service time required to qualify for supernumerary district attorney status, so as to provide further for the said minimum service time requirements.

Committee on Judiciary.

By Senators Strong, Bedsole, deGraffenried, Denton, and Teague:

S. 337. To create and establish a state art bank through which the state purchases artworks by the state's artists to rent or loan for public display; to provide for control by the council on the arts and humanities; and to make an appropriation.

Committee on Consumer Affairs.

By Senator Amari:

S. 338. To create a State Publications Depository Program for maximum availability and distribution of state publications to the public; to establish the Alabama Publication Clearinghouse, as a division of the Alabama Public Library Service, and to provide for its operations, duties and authority; to authorize the Alabama Public Library Service to make and implement reasonable rules and regulations; to establish the Advisory Council for the State Publications Depository Program and to provide for the membership, terms, duties, qualifications and powers; to define the duties and powers of the Alabama Department of Archives and History relative to the depository program for state publications and the distribution of microform products; to require each state agency to designate a publications officer from among its staff and to notify the said Clearinghouse of the designee, and to provide certain state documents and related information; to provide for the criteria and eligibility of depositories, including the United States government depository libraries; to provide that funding be from appropriations made to the use of the Alabama Public Library Service; to provide for the said service to make reimbursement of certain reasonable costs of producing microforms by the Department of Archives and History; to repeal sections 41-13-20 and 41-13-21, Code of Alabama 1975, as amended, which established the State Records Commission and duties and conflicting laws.

Committee on Governmental Affairs.

By Senators Bedsole, Dixon, Hand, Mitchem, Barron, Dial, Langford, Covington, Ellis, Corbett, Figures, Sanders, Hilliard, Teague, Strong, Amari, Horn, Smith (J), deGraffenried, Cooley, Aldridge, Bishop, Foshee, Holmes, Drinkard, Goodwin, Menton, Cabaniss, and Parsons:

S. 339. To provide further for the compensation of certain professors and instructors at state four-year institutions of higher learning.

Committee on Education.

By Senator Corbett:

S. 340. Providing further for the monthly boarding payment made by the state department of pensions and security for keeping a foster child and to make appropriation from the general fund therefor.

Committee on Finance and Taxation.

By Senators Corbett, Drinkard, Bedsole, Hilliard, Menton, Teague, Bennett, Strong, Horn, Bedford, Aldridge, Barron, Dial, Ellis, deGraffenried, Smith (J), Foshee, Covington, Goodwin, Langford, Hand, Cooley, Bishop, and Parsons:

S. 341. Changing the name of the department of pensions and securities to the "Alabama state department of human resources" and providing for the efficient replacement of certain supplies used by such department.

Committee on Governmental Affairs.

By Senators Corbett and Bedsole:

S. 342. To provide that certain foster children in the custody of the state shall receive an annual school clothing and supplies allowance, and to provide for the funding of said allowance.

Committee on Finance and Taxation.

By Senator Aldridge:

S. 343. To amend Section 26-16-31, Code of Alabama 1975, which provides for a state income tax refund designation program for the Children's Trust Fund, so as to increase the designations to \$5.00 for an individual tax return and \$10.00 for a joint tax return, effective for the tax year 1986.

Committee on Finance and Taxation.

By Senators Bailey, Denton, Smith (J), and Bishop:

S. 344. To amend Section 2 of Act No. 85-124 which made certain appropriations from the general fund, so that the balance of the appropriation made to the Children's Trust Fund shall not revert at the end of the fiscal year.

Committee on Finance and Taxation.

## RESOLUTION

Senator Denton offered the following Senate Joint Resolution, to-wit:

S. J. R. 65. PROCLAIMING FEBRUARY AS COMMUNITY COLLEGE MONTH IN ALABAMA.

WHEREAS, Alabama's community, junior, and technical colleges were established in 1963 to provide quality, affordable, accessible education that meets the needs of local citizens and businesses; and

WHEREAS, 41 community, junior, and technical colleges throughout the state offer access to and opportunity for higher education for all the citizens of Alabama; and

WHEREAS, opportunity with excellence is the philosophy of these community-based institutions of higher education; and

WHEREAS, the associate degree is the key to further education, personal growth, employment, and success; and

WHEREAS, nearly 10,000 associate degrees will be awarded in 1986 to students completing work in both occupational and academic programs; and

WHEREAS, business and industry seek partnerships with the two-year institutions in providing training and retraining for employees; and

WHEREAS, the community, junior, and technical colleges have had a significant impact on the economic development of this state; and

WHEREAS, February has been designated as National Community College Month by the United States Congress and the President of the United States:

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That, we do hereby join with Dr. Charles Payne, Chancellor, and the State Board of Education in proclaiming February as Community College Month in Alabama and urge all citizens of this state to join in recognizing the value and importance of the associate degree, as well as the opportunity for lifelong education, retraining, and community services provided by Alabama's community, junior and technical colleges.

On motion of Senator Denton, the Rules were suspended and the Resolution was adopted by the Senate.

### REPORTS OF COMMITTEES

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Dixon (With Notice and Proof):

S. 225. Relating to Montgomery County; to legalize the sale of draft or keg beer or malt beverages.

Senator Bailey, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator deGraffenried:

S. 79. To amend Sections 9-4-11 and 9-4-12, Code of Alabama 1975, so as to provide the state geologist with the authority to enter into agreements with the United States geological survey in the execution of cooperative geologic surveys of the State of Alabama.

By Senator Bailey:

S. 250. To amend Section 8-17-91, which provides for distribution of petroleum inspection fees; to provide that the State Treasurer shall make distribution of said fees.

By Senator Bailey:

S. 251. To repeal §2-31-2, which exempts persons who buy grain for cash at the time of purchase; and persons licensed as public warehouses; to

amend §2-31-4, which provides bonding requirements for grain dealers so as to remove the waiver of bond for those persons licensed under the United States Department of Agriculture Warehouse Act; and to waive bonding requirements for grain dealers who pay cash for grain at the time of purchase.

By Senator Bailey:

S. 252. To repeal Section 2-6-2, providing for the appointment of a Superintendent of the Agricultural Center to manage and control the coliseum and its facilities; to provide for the appointment of merit system employees for the Agricultural Center by the Agricultural Center Board.

By Senator Bailey:

S. 256. To amend Section 2-2-15, which provides qualifications for those persons in charge of accounting, plant industry, agricultural chemistry and poultry so as these divisions do not have to be designated as divisions; to allow a qualified veterinarian to be in charge of poultry in lieu of a college graduate in poultry husbandry.

By Senator Smith (B):

S. 268. To further define flotation device under certain circumstances for certain sailboarders or wind surfers, any law, rule or regulation to the contrary notwithstanding.

By Senator Parsons:

S. 296. To prohibit persons from willfully harassing or interfering with persons lawfully hunting wild game in this state; and to prescribe penalties.

### RESOLUTIONS

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 66. COMMENDING CLAYTON BROCK, JR., OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Also:

S. R. 67. COMMENDING WILLIAM A. RICHARDS, PROMINENT HUNTSVILLE CHIROPRACTOR.

Which were adopted.

### BUDGET ISOLATION RESOLUTIONS

On motion of Senator Denton, the Rules were suspended and the B. I. R., S. B. 63, was adopted by the Senate.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Little
Aldridge	Covington	Goodwin	Menton
Bailey	deGraffenried	Hand	Parsons
Barron	Denton	Hilliard	Smith (J)
Bedford	Dial	Holmes	Strong
Bedsole	Dixon	Langford	Teague
Cooley	Ellis		

—25

Nays:

—0

On motion of Senator Langford, the Rules were suspended and the B. I. R., S. B. 33, was adopted by the Senate.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Little	
Aldridge	Covington	Hand	Menton	
Bailey	deGraffenried	Hilliard	Parsons	
Barron	Denton	Holmes	Smith (J)	
Bedsole	Dial	Horn	Strong	
Bennett	Dixon	Langford	Teague	
Bishop	Ellis			—25

*Nays:* —0

On motion of Senator Ellis, the Rules were suspended and the B. I. R., S. B. 18, was adopted by the Senate.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Ellis	Little	
Aldridge	Corbett	Foshee	Menton	
Amari	Covington	Goodwin	Parsons	
Bailey	deGraffenried	Hand	Sanders	
Barron	Denton	Hilliard	Strong	
Bedford	Dial	Holmes	Teague	
Bennett	Dixon			—25

*Nays:* —0

On motion of Senator Cooley, the Rules were suspended and the B. I. R., S. B. 60, was adopted by the Senate.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Ellis	Menton	
Aldridge	Cooley	Foshee	Mitchem	
Amari	Covington	Hand	Parsons	
Bailey	deGraffenried	Holmes	Smith (J)	
Bedford	Denton	Horn	Strong	
Bedsole	Dial	Little	Teague	
Bennett	Dixon			—25

*Nays:* —0

### BILLS ON THIRD READING

#### THE BILL:

S. 18. To amend Act No. 39, H. 67, Second Special Session, 1971 (Acts 1971, p. 4173) to permit the application of chemical substances by aircraft in Shelby County under certain conditions.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.



Yeas 25; Nays 0.

*Yeas:*

Senators:	Bennett	Ellis	Menton	
Aldridge	Cooley	Foshee	Mitchem	
Amari	Covington	Hand	Parsons	
Bailey	deGraffenried	Holmes	Sanders	
Barron	Denton	Horn	Strong	
Bedford	Dial	Little	Teague	
Bedsole	Dixon			—25

*Nays:* —0

THE BILL:

S. 33. Relating to Montgomery County; providing further for the compensation of the sheriff effective upon the expiration of the present term of office.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Little	
Aldridge	Cooley	Goodwin	Menton	
Amari	Covington	Hand	Parsons	
Bailey	deGraffenried	Hilliard	Sanders	
Bedford	Dial	Holmes	Strong	
Bedsole	Dixon	Langford	Teague	
Bennett	Ellis			—25

*Nays:* —0

THE BILL:

S. 60. Relating to Cullman County; to amend further Act No. 711, H. 1109, Regular Session 1976 (Acts 1976, p. 991), as amended by Act No. 81-1037, H. 38, Second Special Session 1981 (Special Session Acts 1981, p. 237), and Act No. 85-886, H. 13, Regular Session 1985, which act charges a court cost in criminal cases to be remitted to the juvenile probation fund and the county sheriff's office, so as to charge an additional \$3.00 court cost on each criminal case in the county, the proceeds to be earmarked for juvenile programs, and expenses and subsistence for the juvenile probation officer's office, to specifically repeal Act 85-886, H. 13, 1985 Regular Session, and to provide that this act shall be retroactively effective to September 19, 1985.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Aldridge	Covington	Hand	Mitchem	
Bailey	deGraffenried	Hilliard	Sanders	
Barron	Denton	Holmes	Smith (J)	
Bedford	Dial	Horn	Strong	
Bennett	Drinkard	Little	Teague	
Bishop	Ellis			—25

*Nays:* —0

## THE BILL:

S. 63. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of St. Florian in Lauderdale County.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Ellis	Little	
Aldridge	Corbett	Foshee	Menton	
Bailey	Covington	Goodwin	Parsons	
Barron	deGraffenried	Hand	Sanders	
Bedford	Denton	Hilliard	Smith (J)	
Bedsole	Dial	Langford	Teague	
Bennett	Dixon			—25

*Nays:* —0

## MOTION IN WRITING

Senator Hilliard offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 254, on page 18 of the Fifth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 254, referred to the Standing Committee on Rules for placement on the Consent Calendar.

## UNFINISHED BUSINESS

## BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 89. Relating to banks, banking and branch banking which: amends Title 5 of the Alabama Code of 1975 by adding Chapter 13A so as to create the "Alabama Regional Reciprocal Banking Act of 1986"; provides definitions; authorizes any bank holding company whose principal place of business is in any one of certain jurisdictions to acquire banks and bank holding companies located in Alabama under certain conditions and limitations; requires divestiture in certain circumstances; provides applicable law and for regulatory supervision and enforcement authority; provides for application fees; provides for severability of provisions; restricts amendment of §5-5A-20, Code of Alabama, 1975; and provides an effective date.

and pending amendments. The question was on the substitute amendment to the Committee amendment to the Bill, S. B. 89, which said amendments are set out in the Journal of the Senate for the Fourth Legislative Day.

On motion of Senator Cooley, the substitute amendment for the Committee amendment to the Bill, S. B. 89, was laid on the table.

Senator Teague moved that said Committee amendment be adopted, which motion was lost.

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Yeas 8; Nays 20.

*Yeas:*

Senators:	Covington	Foshee	Hilliard	
Bedford	Denton	Goodwin	Teague	
Corbett				—8

*Nays:*

Senators:	Bishop	Drinkard	Menton	
Aldridge	Cooley	Ellis	Mitchem	
Amari	deGraffenried	Hand	Parsons	
Barron	Dial	Holmes	Smith (J)	
Bedsole	Dixon	Horn	Strong	
Bennett				—20

And said Bill, S. B. 89, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Abstaining 1.

*Yeas:*

Senators:	Bishop	Drinkard	Langford	
Aldridge	Cooley	Ellis	Menton	
Amari	Corbett	Foshee	Parsons	
Bailey	Covington	Goodwin	Sanders	
Barron	deGraffenried	Hand	Smith (J)	
Bedford	Denton	Hilliard	Strong	
Bedsole	Dial	Holmes	Teague	
Bennett	Dixon	Horn		—30

*Nays:* —0

*Abstaining:* Senator Mitchem —1

Senator deGraffenried moved that the Senate reconsider the vote by which the Bill, S. B. 89, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

**MOTION TO ADJOURN LOST**

At 4 o'clock P.M., Senator deGraffenried moved that the Senate adjourn until 12 o'clock Noon Thursday, January 30, 1986, which motion was lost.

Yeas 9; Nays 17.

*Yeas:*

Senators:	Bedsole	Denton	Parsons	
Aldridge	Bishop	Menton	Sanders	
Bedford	Cooley			—9

*Nays:*

Senators:	Covington	Hand	Mitchem
Amari	deGraffenried	Hilliard	Smith (J)
Bailey	Drinkard	Holmes	Strong
Bennett	Foshee	Langford	Teague
Corbett	Goodwin		

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### RESOLUTION

Senator Teague offered the following Senate Resolution, to-wit:

S. R. 68. HONORING DARWIN E. SMITH, CHAIRMAN OF THE BOARD AND CHIEF EXECUTIVE OFFICER OF KIMBERLY-CLARK CORPORATION.

Which was adopted.

### MOTIONS IN WRITING

Senator Bennett offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 30, on page 29 of the Fifth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 30, referred to the Standing Committee on Rules for placement on the Consent Calendar.

Senator Bennett then offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 32, on page 29 of the Fifth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 32, referred to the Standing Committee on Rules for placement on the Consent Calendar.

### INTERIM COMMITTEE REPORT FILED

Pursuant to the provisions of Act No. 83-72, H. J. R. 24, of the First Extraordinary Session, 1983, the report of the Interim Committee on Finances and Budgets was read and ordered filed with the Secretary.

### REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. J. R. 18

S. J. R. 22

S. J. R. 21

S. J. R. 24

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S. J. R. 26

S. J. R. 39

S. J. R. 37

S. J. R. 40

Delivered to the Governor, January 28, 1986, at 3:55 P.M.

McDOWELL LEE,  
Secretary of Senate.

**SECRETARY'S REPORT**

The foregoing report of the Secretary was read and ordered spread upon the Journal.

**ADJOURNMENT**

At 4:20 P.M., on motion of Senator Bishop, the Senate adjourned until Thursday, January 30, 1986, at 12:30 P.M.

**SIXTH LEGISLATIVE DAY**  
**THURSDAY, JANUARY 30, 1986**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

**PRAYER**

The Session was opened with prayer by the Reverend David S. Payne, Pastor, Cottondale Nazarene Church, Cottondale, Alabama.

**PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Sonya Danette Lawson, Lee High School, Montgomery, Alabama.

**ROLL CALL**

Present:

Senators:	Cooley	Foshee	Menton
Amari	Covington	Goodwin	Mitchem
Bailey	deGraffenried	Hand	Parsons
Barron	Denton	Hilliard	Sanders
Bedford	Dial	Holmes	Smith (B)
Bedsole	Dixon	Horn	Smith (J)
Bennett	Drinkard	Langford	Strong
Bishop	Ellis	Little	Teague
Cabaniss	Figures		

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**JOURNAL**

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fifth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

**COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Fifth Legislative Day was approved by the Senate.

**LEAVE OF ABSENCE**

On motion of Senator deGraffenried, leave of absence was granted Senators Aldridge and Corbett for today.

**RESOLUTION**

Senators Smith (J), Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Horn, Langford, Little, Menton, Mitchem, Parsons, Sanders, Smith (B), Strong and Teague offered the following Senate Resolution, to-wit:

**S. R. 69. MOURNING THE DEATHS OF THE AMERICAN ASTRO-NAUTS ABOARD THE SPACE SHUTTLE CHALLENGER.**

Which was adopted.

**COMMITTEE REPORT FILED**

Pursuant to the provisions of Act No. 1218 of the 1975 Regular Session, the report of the Joint Highway Committee was read and ordered filed with the Secretary.

**RESOLUTIONS**

Senators Bedsole, Aldridge, Amari, Bailey, Barron, Bedford, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Horn, Langford, Little, Menton, Mitchem, Parsons, Sanders, Smith (B), Smith (J), Strong and Teague offered the following Senate Joint Resolution, to-wit:

**S. J. R. 70. WELCOMING THE USS ALABAMA AND ITS CREWS TO THE PORT OF MOBILE AND THE STATE OF ALABAMA.**

WHEREAS, the USS Alabama, a trident nuclear submarine, Ohio Class, is the first submarine to be named for the State of Alabama; and

WHEREAS, the Ohio submarines are our nation's first line of defense and are the largest ever built, measuring 560 feet, and weighing 18,750 tons; and

WHEREAS, the USS Alabama is stopping in Mobile for an eight-day visit, beginning February 2, 1986, enroute from New London, Connecticut, where she was commissioned, to Bangor, Washington; and

WHEREAS, the USS Alabama will have aboard both its assigned crews, a total of more than 300 Navy personnel, during its week-long stopover in Mobile; and

WHEREAS, the visit of the USS Alabama and its crews is indeed an occasion of great significance for the State of Alabama and all citizens thereof, and we most heartily welcome this magnificent vessel and Navy personnel to our State; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That in great pride and pleasure, we warmly welcome the USS Alabama to the State of Alabama and direct that a copy of this resolution be presented to the commanding officer of said vessel, our submarine namesake, during the historic welcoming ceremony February 2, 1986, in Mobile, Alabama.

On motion of Senator Bedsole, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Bedsole, Aldridge, Amari, Bailey, Barron, Bedford, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Horn, Langford, Little, Menton, Mitchem, Parsons, Sanders, Smith (B), Smith (J), Strong, and Teague then offered the following Senate Resolution, to-wit:

**S. R. 71. WELCOMING THE USS ALABAMA AND ITS CREWS TO THE PORT OF MOBILE AND THE STATE OF ALABAMA.**

Which was adopted.

### **MOTION IN WRITING**

Senator Bedsole offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 120, on page 20 of the Sixth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 120, referred to the Standing Committee on Rules for placement on the Consent Calendar.

### **RESOLUTIONS**

Senator Covington offered the following Senate Joint Resolution, to-wit:

**S. J. R. 72. COMMENDING MILLIE MURPHREE OF OZARK, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.**

WHEREAS, in a desire to recognize young Alabamians of achievement, the Alabama Legislature today notes the numerous and notable accomplishments of Millie Murphree of Ozark, Alabama, daughter of Dr. and Mrs. James Murphree; and

WHEREAS, among Miss Murphree's many activities and involvements as a high school student, both academic and extra-curricular, are memberships in such organizations as the French, Choral, Misses' and Future Business Leaders of America Clubs; the Thespian Society; annual staff; and the Varsity Cheerleaders Squad; and

WHEREAS, she also is a Diane Shillabeer Dancer and Claybank Hostess, and has participated in musical theatre, holding both minor and lead roles in school musicals; and

WHEREAS, Millie Murphree further is the recipient of a number of awards, honors and recognitions including, among others, first place Science Fair; Freshman, Sophomore and Junior Class Beauty; Honors and Advanced Placement Program; and inclusion in the National Honor, Spanish and Phi Mu Theta Math Honor Societies; and

WHEREAS, she additionally was among the Top 15 in Miss Alabama Teenager competition and was Miss Dale County Agriculture (1984-85), Miss Ozark (1985-86) and Miss National Peanut Festival (1985-86); now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That in recognition of outstanding achievement and accomplishment, we hereby most highly commend Millie



Murphree of Ozark, Alabama, whom we hold in highest regard and for whom a copy of this resolution shall be provided.

On motion of Senator Covington, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Covington then offered the following Senate Joint Resolution, to-wit:

**S. J. R. 73. COMMENDING STELLA TONEY WHITEHEAD OF DALE COUNTY, ALABAMA, OZARK VOTERS LEAGUE'S WOMAN OF THE YEAR.**

WHEREAS, the Legislature of Alabama notes with highest commendation the selection of Stella Toney Whitehead of Dale County, Alabama, as Woman of the Year, a prestigious honor bestowed by the Ozark Voters League in recognition of outstanding service and achievement; and

WHEREAS, Mrs. Whitehead, who attended school in both the Dale County and Ozark City School Systems, is a 1947 graduate of Ozark Negro School (now D. A. Smith Middle School), and of Alabama State University in Montgomery, where she received the Bachelor of Science and Master of Science degrees in Elementary Education in 1951 and 1967 respectively; she also has completed additional studies at Troy State University and Tuskegee Institute; and

WHEREAS, her distinguished services include teaching in the Dale County and Ozark City School Systems for 32 years and 8 months, as well as Adult Basic Education for 17 years; and

WHEREAS, Mrs. Whitehead further serves as treasurer of the Antioch Baptist Church, secretary of the Newton Library Board and president of the Usher Board; she also is a deaconess, advisor of the Chorale Ensemble, associate conductor of the Order of the Eastern Star, Church ward leader, and a Young Adult Sunday School teacher; and

WHEREAS, in an extension of her many activities and involvements, Mrs. Whitehead is affiliated, through membership, with O.E.A., A.E.A., and educational organizations, Kappa Delta Pi honorary education sorority, Alpha Gamma Chapter of the Alpha Pi Chi social sorority, Queen Ester #222 Order of the Eastern Star, and the Ozark Hospitality Club, among others; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That we hereby most highly commend Stella Toney Whitehead of Dale County, Alabama, for outstanding service and achievement, and as Woman of the Year.

**BE IT FURTHER RESOLVED,** That in token of our sincere warm praise and regard, a copy of this resolution shall be provided for Mrs. Whitehead.

On motion of Senator Covington, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Covington then offered the following Senate Joint Resolution, to-wit:

**S. J. R. 74. COMMENDING JACOB NELSON McLEOD OF DALE COUNTY, ALABAMA, OZARK VOTERS LEAGUE'S MAN OF THE YEAR.**

WHEREAS, the Legislature of Alabama notes with highest commendation the selection of Jacob Nelson McLeod of Dale County, Alabama, as Man of the Year, a prestigious honor bestowed by the Ozark Voters League in recognition of outstanding service and achievement; and

WHEREAS, Mr. McLeod, who attended school at D. A. Smith High School (now D. A. Smith Middle School), furthered his education by attending Selma University where he received an Associate Degree in Theology; he later attended Dallas State College where he received a Bachelor of Science degree in Elementary Education, and has completed additional studies at Troy State University; and

WHEREAS, he has served as a Deputy Sheriff for the Dale County Sheriff Department for 14 years, currently holding the rank of Lieutenant in the Patrol Division, and is a member of the Deputy Sheriff's Association; and

WHEREAS, while with the Sheriff's Department, Lieutenant McLeod has attended and graduated from many schools, which include Investigation School, Drug Identification School, and Skin Diving School, among others; and

WHEREAS, he also served in the United States Army as an E-5 in the Army Security Agency, receiving an honorable discharge from this service in 1972; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of outstanding service and achievement, we hereby most highly commend Man of the Year, Jacob Nelson McLeod of Dale County, Alabama, whom we hold in highest regard and for whom a copy of this resolution shall be provided.

On motion of Senator Covington, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Covington then offered the following Senate Joint Resolution, to-wit:

S. J. R. 75. DESIGNATING MAY 4-10, 1986, AS "NATIONAL MENTAL HEALTH COUNSELORS' WEEK" IN ALABAMA.

WHEREAS, mental health counselors work in a specialized field of professional counseling which emphasizes the developmental and adjustive nature of mental health services; and

WHEREAS, mental health counselors provide professional counseling services, involving the application of principles of psychotherapy, human development, learning theory, group dynamics and the etiology of mental illness and dysfunctional behavior to individuals, couples, families and groups, for the purposes of treating psychopathology and promoting optimal mental health; and

WHEREAS, mental health counselors work in conjunction with other mental health professionals, such as psychiatrists, psychologists, clinical social workers, and psychiatric nurses, to determine the most appropriate treatment for each patient; and

WHEREAS, mental health counselors work in psychiatric hospitals, community mental health centers, community hospitals, private clinics, rehabilitation centers, private practice settings, and on college campuses, providing almost 50 per centum of direct delivery of mental health services; and

WHEREAS, mental health counselors are providers of health care services upon whom, by virtue of their education and extensive training, have been conferred earned Master's, Specialists, or Doctoral degrees in Mental Health Counseling or closely related areas of study having a focus on mental health; and

WHEREAS, mental health counselors, after having earned such degrees, have performed at least two years of supervised clinical counseling, and are credentialled as Licensed Professional Counselors in Alabama, and are further certified by the National Academy of Certified Clinical Mental Health Counselors; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do hereby designate May 4-10, 1986, as

NATIONAL MENTAL HEALTH COUNSELORS' WEEK in Alabama.

Which was read and referred to the Standing Committee on Rules.

Senator Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 76. ENDORSING THE PROCLAMATION OF JANUARY 1986 AS MEDICAL EYE MONTH.

WHEREAS, the precious gift of eyesight is recognized by the American people as the most valuable of the senses; and

WHEREAS, the National Society to Prevent Blindness has declared that half of all blindness can be prevented; and

WHEREAS, such unnecessary blindness can be prevented when early medical attention is obtained, or when safety devices are worn to protect the eyes; and

WHEREAS, the Alabama Academy for Ophthalmology includes many qualified eye physicians and surgeons along with outstanding medical facilities for proper care and treatment of those threatened by blindness; and

WHEREAS, citizens of Alabama should become aware of the importance of regular medical eye examinations and seek direct help from medical eye doctors when eye conditions which may lead to blindness are first experienced; and

WHEREAS, many Alabamians are experiencing significant economic and unemployment problems which may prevent their obtaining proper medical eye examinations; and

WHEREAS, participating ophthalmologists throughout Alabama will provide free vision/glaucoma screenings in their offices on Wednesday, January 22nd, and Wednesday, January 29th; and

WHEREAS, the month of January has been designated National Eye Health Care Month and many other states have corresponding programs; and

WHEREAS, Mr. Bob Hope is National Chairman and Alabama's Mr. Charley Boswell is State Chairman of the Medical Eye Month activities; and

WHEREAS, the Medical Eye Month slogan reads, "There is HOPE for Saving Sight"; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby endorse the proclamation of January 1986 as Medical Eye Month in the State of Alabama.

On motion of Senator Teague, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Teague, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Horn, Langford, Little, Menton, Mitchem, Parsons, Sanders, Smith (B), Smith (J), and Strong offered the following Senate Joint Resolution, to-wit:

S. J. R. 77. MOURNING THE DEATH OF MRS. FLORENCE SANSON CABANISS OF BIRMINGHAM, ALABAMA.

WHEREAS, the Legislature of Alabama is grievously saddened by the death of Mrs. Florence Sanson Cabaniss of Birmingham, Alabama, on January 27, 1986, at the age of 75 years; and

WHEREAS, Mrs. Cabaniss, the wife of William J. Cabaniss of Birmingham, was a longtime member of the Cathedral Church of the Advent in Birmingham, and was prominent in civic and community responsibility through activities of the Red Mountain Garden Club, Junior League of Birmingham, and as Regent for the State of Alabama, Colonial Dames of America; and

WHEREAS, in addition to her beloved husband, Mrs. Cabaniss is survived by her son, William J. Cabaniss, Jr., and by two daughters, Mrs. Tinsley Randolph Harrison, Jr., and Mrs. Hannes Parnegg; and

WHEREAS, Mrs. Cabaniss was indeed a warm and gracious lady and her death is a source of great sorrow, not only to her family and many friends, but to all those whose lives she touched with kindness, joy and love; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That even though we mourn, we give thanks for the life of Florence Sanson Cabaniss of Birmingham, Alabama, and direct that copies of this resolution of condolence be provided for her husband and daughters, and for her son, William J. Cabaniss, Jr., our good friend and colleague in the Legislature.

On motion of Senator Teague, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Barron offered the following Senate Joint Resolution, to-wit:

S. J. R. 78. COMMENDING ROBERT D. WORD, JR., OF SCOTTSBORO, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

WHEREAS, in a desire to recognize those of our citizens who have dedicated themselves in service to the community, the Alabama Legislature notes with highest commendation the longtime involvement of Robert D. (Bob) Word, Jr., in numerous areas of importance and concern to the City of Scottsboro; and

WHEREAS, Mr. Word was educated at Tennessee Military Institute, Sweetwater, Tennessee, and at Auburn University where he received the B.S. degree and was a Distinguished Military Student, president of Pi Kappa

Alpha and the fraternity's 1982 Alumnus of the Year, a member of Blue Key and later initiate of ODK, and a member of the SGA Cabinet, Phi Psi honorary, and Scabbard and Blade; and

WHEREAS, Mr. Word, who served in the United States Army Field Artillery as a First Lieutenant, is a prominent Scottsboro businessman with other interests, such as shopping center development, banking and real estate development, among others; and

WHEREAS, in community service and involvement he is vice president, Tennessee Valley Council, Boy Scouts of America; member of the Alabama State Chamber of Commerce; and a past president and current member of the Scottsboro Lions Club, Scottsboro Chamber of Commerce, Jackson County United Way and the Scottsboro City Board of Education; and

WHEREAS, he further is a member of the Administrative Board, First United Methodist Church, Scottsboro; chairman, Alabama Commission on Higher Education; member of Auburn University School of Business Advisory Council; member of UAH School of Primary Medical Care Advisory Committee; life member, past director and current president, Auburn University Alumni Association; and a past president and member of the Jackson County Auburn Alumni Association; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Robert D. Word, Jr., of Scottsboro, Alabama, for distinguished community service and direct that he receive a copy of this resolution, executed in sincere praise and warmest personal regard.

On motion of Senator Barron, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Barron then offered the following Senate Resolution, to-wit:

S. R. 79. COMMENDING THE PLAINVIEW HIGH SCHOOL  
CHEERLEADERS FOR OUTSTANDING ACCOMPLISHMENT.

Which was adopted.

### REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 84. NAMING THE NATIONAL GUARD ARMORY IN OXFORD, ALABAMA, THE "AUBREY G. HICKS ARMORY."

Also:

H. J. R. 68. COMMENDING WILLIAM C. MORRIS OF MOBILE, RENOWNED ARTIST AND COMMUNITY LEADER.

Also:

H. J. R. 66. COMMENDING BOBBYE M. BONHAM FOR HER LONG AND ABLE SERVICE IN THE FIELD OF PUBLIC EDUCATION AND WISHING HER A HAPPY RETIREMENT.

Also:

H. J. R. 54. COMMENDING WEST POINT HIGH SCHOOL ON ITS OUTSTANDING 1985 FOOTBALL SEASON.

Also:

H. J. R. 52. COMMENDING THE GOOD HOPE HIGH SCHOOL VOLLEYBALL "A" TEAM.

Also:

H. J. R. 50. COMMENDING THE VINEMONT HIGH SCHOOL EAGLES ON THEIR OUTSTANDING 1985 FOOTBALL SEASON.

Also:

H. J. R. 48. COMMENDING DR. IRA L. MYERS FOR DISTINGUISHED SERVICE TO THE STATE OF ALABAMA.

Also:

H. J. R. 46. COMMENDING WILLIAM HUGH SHELTON OF CULLMAN, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

H. J. R. 44. CONGRATULATING HANCEVILLE HIGH SCHOOL, 1985 4A AREA 13 FOOTBALL CHAMPIONS.

Also:

H. J. R. 42. COMMENDING CULLMAN HIGH SCHOOL ON ITS OUTSTANDING 1985 FOOTBALL SEASON.

Also:

H. J. R. 40. MOURNING THE DEATH OF JOHN R. SPARKS OF CULLMAN COUNTY, ALABAMA.

On motion of Senator Parsons, the Resolutions were then concurred in and adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Senate Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. R. 62. COMMENDING JODEL DAUGHERTY ON A DISTINGUISHED NURSING CAREER.

On motion of Senator Parsons, the Resolution was adopted by the Senate.

### MOTION IN WRITING

Senator Dixon offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 226, on page 17 of the Sixth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 226, referred to the Standing Committee on Rules for placement on the Consent Calendar.

**RESOLUTIONS**

Senator Mitchem offered the following Senate Joint Resolution, to-wit:

**S. J. R. 80. COMMENDING BLOUNT COUNTY SHERIFF J. C. CARR ON HIS DISTINGUISHED LAW ENFORCEMENT CAREER.**

WHEREAS, in consensus of highest commendation, the Legislature of Alabama notes the distinguished career of J. C. Carr of Oneonta as Sheriff of Blount County, Alabama; and

WHEREAS, elected to six consecutive terms, Sheriff Carr has served 23 years in office and, upon retirement in January 1987, will have completed a 24-year tenure that is notably outstanding, both in accomplishment and in dedicated service to the citizens of Blount County; and

WHEREAS, Sheriff Carr, who also served the department as chief deputy sheriff from 1955-1959, is a founder of the Alabama Sheriffs Boys and Girls Ranches, a past president of the Alabama Sheriffs Association and is a member of the Alabama Fraternal Order of Police and the Alabama Peace Officers Association; and

WHEREAS, he further is a United States Navy veteran of World War II, a Mason, and a longtime active member of the Lester Memorial Methodist Church of Oneonta; and

WHEREAS, as one of Alabama's most prominent and dedicated law enforcement officers, Sheriff J. C. Carr is indeed deserving of highest praise and the sincere gratitude of all those who have so richly benefitted from his contributions to and professional accomplishments on behalf of the Blount County Sheriffs Department; now therefore

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That in recognition of distinguished service to the citizens of Blount County, Alabama, and to law enforcement in the State of Alabama, we hereby most highly commend J. C. Carr of Oneonta, Alabama, whom we hold in highest esteem and for whom a copy of this resolution shall be provided.

On motion of Senator Mitchem, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Mitchem then offered the following Senate Joint Resolution, to-wit:

**S. J. R. 81. DIRECTING THE DESIGNATION OF CERTAIN PROPERTIES OWNED BY THE STATE OF ALABAMA AS A WILDLIFE REFUGE AND THAT SAID PROPERTIES BE CEDED OVER TO GUNTERSVILLE STATE PARK FOR ADMINISTRATION AND PROTECTION.**

WHEREAS, in consensus of determined purpose, the Alabama Legislature seeks a leadership role for the State of Alabama in the preservation of our wildlife, including our national symbol, the Bald Eagle; and

WHEREAS, Alabama is now privileged to have one of the largest number of Eagles roosting in the entire Southeastern United States and it is the responsibility of our State to preserve and protect these species for the entire populace of the United States, ad infinitum; and

WHEREAS, the area hereinafter described is an area recognized as one where the earth and its community of life are untrampled by man and where man himself is a visitor who does not remain; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby direct that the following described area shall henceforth be known as a refuge for wildlife, including the Bald Eagle, Golden Eagle and other rare or endangered species of life:

All of Section 16, Township 7 South, Range 5 East in Marshall County, Alabama, containing 641.96 acres. LESS AND EXCEPT That certain tract of land conveyed to the United States of America by deed recorded in deed book 141, page 313 in the Probate Office of Marshall County, Alabama, known as Tract GR-1100, containing 148.3 acres, more or less.

Containing in this description 493.66 acres, more or less, in Marshall County, Alabama.

BE IT FURTHER RESOLVED, That said area be ceded over to Guntersville State Park for administration and protection for the hereinafter stated purposes, and as follows:

1. That this undeveloped land retain its primeval character and influence, without permanent improvements or human habitation, which is protected so as to preserve its natural conditions and which generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable. There shall be no commercial enterprise, no logging, no mining, no mineral or petroleum exploration, no permanent or temporary road, no use of motor vehicles, motorized equipment, motorboats, no landing or aircraft, no other form of mechanical transport and no structure or installation; and

2. That this be an area peacefully and quietly visited by man according to the best interests of the wildlife, especially the Eagle and other endangered species.

On motion of Senator Mitchem, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Bishop offered the following Senate Joint Resolution, to-wit:

S. J. R. 82. COMMENDING JUDGE ALTON M. BLANTON FOR MERITORIOUS SERVICE TO THE STATE OF ALABAMA.

WHEREAS, the Legislature of Alabama notes with highest commendation the exemplary service of Judge Alton M. Blanton to the State of Alabama and especially to the Fourteenth Judicial Circuit of this State; and

WHEREAS, Judge Blanton was elected to the bench and began serving as Judge of the Fourteenth Judicial Circuit on November 21, 1956; and

WHEREAS, Judge Blanton gave twenty years of distinguished service as Judge of the Fourteenth Judicial Circuit until his retirement on November 15, 1976; and

WHEREAS, Judge Blanton served the last twelve years of his tenure on the bench as a most respected Presiding Judge; and

WHEREAS, Judge Blanton served as Secretary-Treasurer of the Alabama Circuit Judges Association in 1969 and was elected President for 1971-1972; and



WHEREAS, the foregoing accomplishments are but a small sampling from the rich and meaningful career of our worthy friend, Judge Alton M. Blanton; and

WHEREAS, Judge Blanton is now enjoying an extremely active and richly deserved retirement; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Judge Alton M. Blanton for dedicated effort and extraordinary accomplishment throughout his distinguished career of meritorious service to the people of the State of Alabama.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Judge Alton M. Blanton which is tendered in highest praise and in expression of our sincere best wishes for his every continuing success.

On motion of Senator Bishop, the Rules were suspended and the Resolution was adopted by the Senate.

### REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 94. COMMENDING JOSEPH NIGOTA OF MOBILE, ALABAMA, 1985 UNIVERSITY OF SOUTH ALABAMA PROFESSOR OF THE YEAR.

On motion of Senator Cooley, the Resolution was then concurred in and adopted by the Senate.

### RESOLUTIONS

Senator Little offered the following Senate Resolutions, to-wit:

S. R. 83. CONGRATULATING MR. AND MRS. CECIL WHEELER OF HUGULEY, ALABAMA, ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

S. R. 84. COMMENDING DON INGRAM AS THE ANDALUSIA AREA CHAMBER OF COMMERCE "FARMER OF THE YEAR."

Which were adopted.

### REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 93. COMMENDING CHARLES G. MUNDEN OF MOBILE, ALABAMA, ENGINEER OF THE YEAR FOR PROFESSIONAL ENGINEERS IN PRIVATE PRACTICE.

Also:

H. J. R. 87. WISHING OUR FRIEND AND COLLEAGUE, REPRESENTATIVE SONNY MOORE, A SPEEDY RECOVERY.

Also:

H. J. R. 86. COMMENDING GAIL OGLE OF SELMA, ALABAMA, FOR OUTSTANDING ATHLETIC ACCOMPLISHMENT.

Also:

H. J. R. 85. HONORING SELMA, ALABAMA'S DIAMOND, THE "GREAT AMERICAN DOG."

Also:

H. J. R. 83. COMMENDING CLARENCE W. DAUGETTE OF GADSDEN, ALABAMA, AS ETOWAH COUNTY'S PATRIOT OF THE YEAR.

Also:

H. J. R. 82. HONORING MAURICE DEAN OF GADSDEN, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

H. J. R. 81. COMMENDING CAROLYN VEASY OF GADSDEN, ALABAMA, MISS ALABAMA STATE UNIVERSITY 1984-1985.

Also:

H. J. R. 73. CONGRATULATING BARRY S. COCHRAN, EXECUTIVE DIRECTOR OF BAPTIST MEDICAL CENTER CHEROKEE.

Also:

H. J. R. 72. COMMENDING THE SAND ROCK HIGH SCHOOL WILDCATS, STATE 1A FOOTBALL CHAMPIONS FOR 1985.

Also:

H. J. R. 71. COMMENDING THE EDGEWOOD JUNIOR GARDENERS OF EDGEWOOD ELEMENTARY SCHOOL, SELMA, ALABAMA.

Also:

H. J. R. 70. COMMENDING KATHRYN TUCKER WINDHAM OF SELMA, ALABAMA, RECIPIENT OF THE 1985 "LIVING FOR AMERICA" AWARD.

Also:

H. J. R. 69. COMMENDING MARGARET SOLBERGER OF MOBILE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

On motion of Senator Parsons, the Resolutions were then concurred in and adopted by the Senate.

### INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Cooley:

S. 345. To amend section 35-11-371 of the Code of Alabama 1975 relating to the perfection of a lien for charges for hospital services so as to provide further for perfecting such lien by extending the time for filing and changing the place of filing.

Committee on Health and Welfare.

By Senator Langford:

S. 346. To allow any circuit judge who was holding office on or before November 1, 1984, and who had prior service regardless of the continuity of such time of service as a judge of a recorder's court, municipal court, or as an assistant district attorney in any circuit of the state or who has time of service as a member of the Alabama legislature, to have such service credited as time in the judicial retirement system conditioned upon such judge or justice paying into the judicial retirement system a sum equal to 6% of his then respective annual salary for each year of such credit. It allows a period in which to purchase such earned credit.

Committee on Finance and Taxation.

By Senator Bennett (With Notice and Proof):

S. 347. To authorize the Jefferson County Board of Health to adopt, and the Jefferson County Health Department to enforce, reasonable rules and regulations concerning the operation of boarding homes in Jefferson County not licensed or regulated by the Alabama State Board of Health, which are operated on a weekly or longer basis for the care of persons who are unrelated to the operators thereof, and who are not related to all other persons served thereby, who are over the age of sixty years, or who are infirm, physically handicapped or mentally handicapped or retarded, or who are addicted to drugs or alcohol; to authorize said County Board of Health to include in such regulations such provisions as it may deem necessary to safeguard the health and safety, and to prevent financial abuse of persons served; to establish permit and inspection fees with respect to the enforcement of such regulations; to make the power and authority granted cumulative; to make the provisions of the Act severable; to supersede all laws in conflict therewith to the extent of such conflict; and to establish an effective date of the Act.

Committee on Aging.

I hereby certify that the notice and proof is attached to the Bill, S. B. 347, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Figures:

S. 348. To propose a constitutional amendment to repeal Amendment 408 of the Constitution which provides a method of filling certain judicial vacancies in Mobile County.

Committee on Constitutional Revision.

The above Bill was read a first time at length as required by the Constitution.

By Senator Langford:

S. 349. To allow any circuit judge who was holding office on or before November 1, 1984, and who had prior service in the teachers' retirement system, to have such service credited as time in the judicial retirement system, conditioned on the said judge paying into the judicial retirement system a sum equal to 6% of his then annual salary for each year of such credit purchased; and to provide a period in which to purchase such earned credit.

Committee on Finance and Taxation.

By Senator Foshee:

S. 350. To provide that only a licensed chiropractor, a licensed medical doctor, a licensed osteopath, and within stated limits, a licensed podiatrist, may perform manipulations or adjustments to the joints of the human body, and to prohibit them from delegating this authority to anyone not similarly licensed; providing certain disciplinary action for persons violating this act.

Committee on Health and Welfare.

By Senator Dial:

S. 351. To create the Fortieth Judicial Circuit and provide for the judgeship, district attorney and other personnel, as well as appointment, election and compensation; to provide for clerical assistance; to provide for transfer of funds designated for the district attorney of the 18th Judicial Circuit for start-up costs; to provide that future appropriations shall be made in the same manner as for other circuits; to redesignate judgeships from the 7th and 18th Judicial Circuits; and to amend Section 12-11-2, Code of Alabama 1975, as amended, relating to the composition of judicial circuits, so as to create the Fortieth Judicial Circuit.

Committee on Judiciary.

By Senator Teague:

S. 352. To amend Section 22-52-1 of the Code of Alabama 1975 relating to petition for commitment of mentally ill persons so as to provide for special petitions to be filed by law enforcement officers.

Committee on Judiciary.

By Senators Bennett, Parsons, and Cabaniss (With Notice and Proof):

S. 353. Relating to Jefferson County; providing for the reidentification of each qualified elector in the county providing that no re-registration or registration of electors will occur within 21 days prior to an election.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 353, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Cabaniss:

S. 354. To establish an Alabama Men's Hall of Fame; prescribes its purposes and membership; and provides for election of members and officers and for holding of meetings.

Committee on Governmental Affairs.

**REGULAR SESSION**  
**6th Day**

By Senators Little, Bedsole, and Strong:

S. 355. To provide for the regulation of consignment transactions between any artist and art dealer; to prescribe strict liability for certain losses and damages.

Committee on Consumer Affairs.

By Senator Sanders:

S. 356. To further amend Section 40-9-12, Code of Alabama 1975, as last amended, so as to include the Alabama Head Start Program, its branches and departments, from the payment of all state, county and municipal taxes, which section lists such exemptions.

Committee on Finance and Taxation.

By Senator Little:

S. 357. Relating to the abandonment of the commission form of government by Class 6 municipalities; providing for a referendum on the question of adoption of a mayor-council form of government with five (5) single-member districts and a mayor to be elected at large, or in the alternative a council-manager form of government with five (5) single-member districts; establishing in the alternative said forms of government; providing for the establishment of boundaries of districts, salaries of mayor and council, and the call of election for the members of the council and for a mayor if a mayor-council form of government was adopted; providing for the term of office of the initial council, and for mayor if the mayor council form of government was adopted; providing the election laws to be applied; providing for reapportionment of council districts; providing for the preservation of other officers, their powers, duties, rights, privileges and emoluments, for the preservation of all property owned by the municipality, all contracts in force, legal proceedings, and pension funds; and providing for the continuation of all subordinate agencies of the municipalities and all ordinances; and providing for an effective date of this act, and the severability of the provisions of this act.

Committee on Governmental Affairs.

By Senator Covington:

S. 358. To amend Section 40-21-60, Code of Alabama 1975, which relates to licensing of express companies so as to further define the term express company.

Committee on Commerce,  
Transportation, and Utilities.

By Senator Goodwin:

S. 359. To amend Section 41-16-3 of the Code of Alabama 1975, relating to state government and public contracts so as to further provide for the time in which to execute such contracts; and further providing for the interest rate to be applicable to delinquent payments by the state.

Committee on Governmental Affairs.

By Senators Little, Bedsole, Strong, and deGraffenried:

S. 360. To create the Alabama Art Preservation Act; to protect an artist or public against the defacement, mutilation, alteration or destruction

of a work of fine art and, under certain conditions, any heir, legatee or personal representative; to make certain exemptions; to provide for judicial relief; to provide a period of limitation to initiate action; and to prescribe an effective date.

Committee on Judiciary.

By Senator Cooley:

S. 361. To amend Section 12-12-70, Code of Alabama 1975, which section relates to appeals from district courts to provide for the dismissal of such appeals in certain instances; to provide for an appearance bond on such appeals and procedures for its forfeiture; to provide for the collection of fines and costs, and to provide for the place of commitment where the sentence of the circuit court includes a term of imprisonment.

Committee on Judiciary.

By Senator Little:

S. 362. To amend Act No. 84-816, H. 175, First Special Session 1984, which exempts from state income taxation certain income earned by a foreign missionary, so as to provide further for its retroactive effect.

Committee on Finance and Taxation.

By Senator Foshee:

S. 363. Relating to the Alabama Department of Corrections; to provide \$4.00 a day hazardous pay to each and every support personnel of the Alabama Department of Corrections.

Committee on Finance and Taxation.

By Senators Sanders, Bailey, Mitchem, and Foshee:

S. 364. To authorize and provide for the promotion of the production, marketing, use and sale of catfish and catfish products by research, education, advertising and other methods; to prescribe a method whereby catfish producers may act jointly with handlers, buyers, dealers, processors, manufacturers and distributors of catfish feed, the state board of agriculture and industries, and others, for a promotional program; to provide that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments; to provide for the regulations, requirements and authority relative thereto; to provide for refund of assessments; to prescribe duties of the commissioner of agriculture and industries and the state board of agriculture and industries with respect to a promotional program for the catfish producers of Alabama; to provide for the administration thereof by a commission, council, board or other agency or a nonprofit association which is fairly and substantially representative of the producers of catfish throughout the state; to provide for collection and distribution of assessments by dealers, handlers, buyers, manufacturers and distributors of catfish feed; to require an annual permit of such dealers, handlers, buyers, manufacturers and distributors of catfish feed; and to prescribe other administrative, enforcement, promotional and penalty provisions.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Foshee:

S. 365. To repeal the sections of 27-40-1 through 27-40-14, Code of Alabama, 1975, so as to repeal all provisions relating to insurance premium finance companies.

Committee on Banking and Insurance.

By Senators Amari and Menton:

S. 366. To amend Section 32-11-2, Code of Alabama 1975, as amended, relating to exemptions from the payment of certain taxes on motor vehicles purchased by rescue squads and volunteer fire departments, so as to include sales taxes in the exemption; and to prescribe retroactive effect to January 1, 1985.

Committee on Finance and Taxation.

By Senators Dixon and Langford:

S. 367. To exempt all fraternal orders and organizations in this state from all state and local sales and use taxes.

Committee on Finance and Taxation.

By Senators Amari, Hand, and Menton:

S. 368. To provide a privilege against divulgence of communications between a person and religious authorities in situations relating to matrimonial rights or status.

Committee on Judiciary.

By Senators Dixon, Mitchem, Bedsole, Holmes, Goodwin, Langford, Foshee, Barron, Bennett, and Cabaniss:

S. 369. To amend Section 34-9-18 Code of Alabama, 1975, to provide that complaints before the Board of Dental Examiners and testimony with respect thereto are absolutely privileged and to grant immunity from suit to the Board of Dental Examiners.

Committee on Judiciary.

By Senators Sanders, Bailey, Mitchem, and Foshee:

S. 370. To propose an amendment to the Constitution of 1901, authorizing the legislature to provide for promotion of production, distribution, marketing, use, improvement and sale of catfish and catfish products as defined and authorized by the legislature.

Committee on Agriculture,  
Conservation, and Forestry.

The above Bill was read a first time at length as required by the Constitution.

By Senator Little:

S. 371. To exempt The Garden Clubs of Alabama, Inc., from the payment of all state, county and municipal sales and use taxes.

Committee on Finance and Taxation.

By Senator Sanders:

S. 372. To amend Section 17-4-156, Code of Alabama 1975, which provides for meeting days for county boards of registrars, so as to provide further for the meeting days of the boards in Lowndes, Perry, Sumter, Wilcox and Greene Counties.

Committee on Governmental Affairs.

By Senators deGraffenried, Langford, Ellis, Foshee, Hilliard, Denton, Menton, Covington, Goodwin, Drinkard, Strong, Aldridge, Cooley, Bishop, Smith (J), Teague, Amari, Figures, Bennett, Hand, Horn, Sanders, Bedsole, and Parsons:

S. 373. To authorize the Governor, the Director of Finance and the Chief Justice of the Supreme Court of the State of Alabama to become a public corporation to be known as Alabama Judicial Building Authority; to provide the procedure for incorporation; to designate the members, directors and officers of the Authority; to provide for meetings of the Authority; to prescribe the powers of the Authority, including the power to provide for the acquisition, construction, installation and equipping of judicial facilities which shall include one or more buildings and the site or sites therefor, the power of eminent domain, and the power to sell and issue a principal amount of bonds not to exceed \$40,000,000 for such purposes; to specify the application of the proceeds of the bonds of the Authority; to authorize the Authority to pledge such revenues from its leases as may be necessary to pay the principal of, premium, if any, and interest on its bonds; to empower the State Treasurer to disburse funds of the Authority; to provide for the lease of said judicial facilities to the Unified Judicial System for occupancy by its components including the Supreme Court, the Court of Civil Appeals, the Court of Criminal Appeals, the State Law Library and the Administrative Office of Courts; to provide for the investment of the proceeds from the sale of the bonds of the Authority; to authorize the issuance by the Authority of refunding bonds; to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge; to provide that all properties of the Authority and the income therefrom and all bonds issued and the income therefrom and all leases made and all lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues of the Authority and shall not create an obligation or debt of the State of Alabama; to provide that any bonds issued by the Authority may be used as security for State deposits and investment of public funds and fiduciary funds; to provide that no earnings of the Authority shall inure to private entities; and to provide for dissolution of the Authority and conveyance of its properties to the State of Alabama upon payment of said bonds.

Committee on Buildings and Grounds.

By Senator Horn:

S. 374. To levy and impose a "windfall" on the winnings on all successful wagers in pari-mutuel pools; and to provide for the collection and distribution of the proceeds from such levy.

Committee on Finance and Taxation.



By Senator Bedford:

S. 375. To make an appropriation from the state general fund to the various county emergency management agencies to reduce their funding deficits caused by curtailment of adequate funding.

Committee on Finance and Taxation.

By Senators Sanders and Hilliard:

S. 376. To exempt certain printed materials from the provisions of the crime offense of gambling.

Committee on Buildings and Grounds.

By Senator Bedford:

S. 377. To establish the state salary payable to the circuit court clerks and circuit court registers at an amount equal to \$3,000.00 less than the state salary payable to the district attorneys; to provide that the salary increases provided by this Act shall be implemented in two steps over the next two fiscal years; to provide an appropriation to the Unified Judicial System for the fiscal year beginning October 1, 1986; and, to provide an effective date.

Committee on Governmental Affairs.

By Senators Bedsole, deGraffenried, Little, and Strong:

S. 378. To amend Section 40-18-15 of the Code of Alabama 1975, relating to income tax deductions, so as to provide that a professional artist may deduct the fair market value of artworks created and donated to museums, libraries, public buildings and other charitable organizations and to provide for valuation of said artworks.

Committee on Finance and Taxation.

By Senator Goodwin:

S. 379. To amend Section 27-29-3, of the Code of Alabama 1975, which relates to the acquisition of control of, or merger with, domestic insurers, so as to limit acquisition of control of an Alabama domiciled insurer without the Insurance Commissioner's approval by providing that after the acquisition of authorized but unissued voting securities of a domestic insurer, the acquiring person shall not own, control or have the right to acquire 10% or more of the total issued and outstanding voting securities of the domestic insurer however acquired.

Committee on Banking and Insurance.

By Senator Bishop:

S. 380. To provide that in addition to all other offenses for which there shall be no statute of limitation, that there shall be added the offense of embezzling student government association's funds of any public institution in the state.

Committee on Buildings and Grounds.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Reps. Zoghby, Turner, and Marietta (With Notice and Proof):

H. 126. Relating to further duties of the Mobile County Commission and providing financial reports for distribution; providing that the provisions of the act shall be cumulative to any and all other laws relating to the duties of the chairman and members of the county commission.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 126, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 126—to the Committee on Local Legislation No. 3

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Turner (With Notice and Proof):

H. 231. Relating to Mobile County, to provide for the deposit of moneys collected by the Mobile County License Commissioner and other elected officials in Mobile County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 231, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Turner (With Notice and Proof):

H. 232. Relating to Mobile County, amending Section 1 of Act No. 478, H. 635 of the 1983 Regular Session of the Legislature (Acts 1983, p. 670), authorizing and empowering the Mobile County Commission to grade all county dirt surfaced roads traveled by rural mail carriers for the United States Post Office Department provided that the land owners along such roads are willing to donate to the county the rights-of-way necessary for such grading projects.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 232, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Harper, Turner, and Box (With Notice and Proof):

H. 258. Relating to Mobile County, requiring the county governing body to pay from the county general fund, or from any county fund designated for roads and bridges, a portion of the expense, or the entire expense, of relocating, removing, or replacing certain water or gas pipes and lines owned by rural or municipal water or gas authorities or systems when such relocation, removal or replacement is required or made necessary by public road maintenance, construction, bridge repair or replacement undertaken by the County of Mobile; and repealing conflicting laws.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 258, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Laird (With Notice and Proof):

H. 315. Relating to Clay County; requiring the county health department or its agents to perform soil percolation tests for septic tank installation purposes for a certain fee.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 315, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 231, 232, and 258—to the Committee on Local Legislation No. 3

H. B. 315—to the Committee on Local Legislation No. 1

### REPORT FROM RULES

Senator Parsons, Vice Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of James D. Stephens to the Credit Union Board.

On motion of Senator deGraffenried, the appointment of Mr. Stephens was confirmed by the Senate.

Yeas 28; Nays 0.

Yeas:

Senators:	deGraffenried	Goodwin	Menton
Amari	Denton	Hand	Mitchem
Bailey	Dial	Hilliard	Sanders
Bedsole	Dixon	Holmes	Smith (B)
Bennett	Drinkard	Horn	Smith (J)
Bishop	Ellis	Langford	Strong
Cabaniss	Foshee	Little	Teague
Cooley			

—28

Nays:

—0

Senator Parsons, Vice Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. Thomas Braswell to the Credit Union Board.

On motion of Senator Cooley, the appointment of Mr. Braswell was confirmed by the Senate.

Yeas 21; Nays 0.

Yeas:

Senators:	Cooley	Hand	Little
Amari	deGraffenried	Hilliard	Sanders
Bailey	Denton	Holmes	Smith (J)
Bedsole	Dial	Horn	Strong
Bishop	Ellis	Langford	Teague
Cabaniss	Goodwin		

—21

Nays:

—0

Senator Parsons, Vice Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. Charles Therrell to the Credit Union Board.

On motion of Senator Cooley, the appointment of Mr. Therrell was confirmed by the Senate.

Yeas 19; Nays 0.

Yeas:

Senators:	Cabaniss	Figures	Little
Amari	Cooley	Hilliard	Sanders
Barron	Denton	Holmes	Smith (J)
Bedsole	Dial	Horn	Strong
Bishop	Ellis	Langford	Teague

—19

Nays:

—0

Senator Parsons, Vice Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following

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Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. John R. Stephenson to the Credit Union Board.

On motion of Senator Cooley, the appointment of Mr. Stephenson was confirmed by the Senate.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Cabaniss	Ellis	Langford	
Amari	Cooley	Figures	Little	
Bailey	Denton	Hand	Sanders	
Bedsole	Dial	Holmes	Smith (J)	
Bishop	Drinkard	Horn	Strong	—19

*Nays:* —0

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Sarah G. Norred to the Credit Union Board.

On motion of Senator Cooley, the appointment of Ms. Norred was confirmed by the Senate.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Cabaniss	Drinkard	Little	
Amari	Cooley	Hilliard	Mitchem	
Bailey	deGraffenried	Holmes	Parsons	
Bedsole	Dial	Horn	Sanders	
Bennett	Dixon	Langford	Strong	—20
Bishop				

*Nays:* —0

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 84. NAMING THE NATIONAL GUARD ARMORY IN OXFORD, ALABAMA, THE "AUBREY G. HICKS ARMORY."

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF RESOLUTIONS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing

House Joint Resolution, the title of which is set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Beasley, Carothers, Mathis, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Drake, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Johnson (RG), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Melton, Mikell, Mitchell, Moore, Newman, Newton, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby:

H. J. R. 112. MOURNING THE DEATH OF WILLIAM RALPH CHAMBERS.

Also:

By Reps. McKee, Hooper, Mikell, Starr, Buskey (John), and Holmes:

H. J. R. 116. RECOGNIZING THE AMERICAN STERILIZER COMPANY (AMSCO) AND AMSCO/MONTGOMERY FOR OUTSTANDING CONTRIBUTIONS TO THE MONTGOMERY COMMUNITY AND THE STATE OF ALABAMA.

Also:

By Rep. Black:

H. J. R. 117. COMMENDING MRS. ANNA I. JOHNSON OF SUMTER COUNTY, ALABAMA.

Also:

By Reps. Brakefield and Nicholson:

H. J. R. 123. NAMING A PORTION OF U.S. HIGHWAY 78, LYING WITHIN THE CORPORATE LIMITS OF CARBON HILL, ALABAMA, THE "CLIFF GUTHRIE HIGHWAY."

Also:

By Rep. Turner:

H. J. R. 124. COMMENDING JAMES F. CALDWELL FOR DISTINGUISHED VOLUNTEER SERVICE.

Also:

By Reps. Bugg and Junkins:

H. J. R. 129. COMMENDING DANNY KENNETH CROWNOVER FOR OUTSTANDING ACHIEVEMENT.

Also:

By Reps. Gaston, Kvalheim, Marietta, and Kennedy:

H. J. R. 131. COMMENDING T. KEITH KING OF MOBILE, ALABAMA, FOR OUTSTANDING PROFESSIONAL ACHIEVEMENT.

Also:

By Rep. Sasser:

H. J. R. 132. COMMENDING LEWIS W. FLOWERS ON HIS DISTINGUISHED CAREER AT ALABAMA AVIATION AND TECHNICAL COLLEGE.

Also:

By Rep. Moore:

H. J. R. 134. COMMENDING THE UNIVERSITY OF MONTEVALLO LADY FALCONS VOLLEYBALL TEAM.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolutions, H. J. R.'s 112, 116, 117, 123, 124, 129, 131, 132, and 134, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 70. WELCOMING THE USS ALABAMA AND ITS CREWS TO THE PORT OF MOBILE AND THE STATE OF ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Cosby:

H. J. R. 101. COMMENDING SUSAN COURTNEY HEDGEPEETH, ALABAMA'S JUNIOR MISS 1986.

Also:

By Reps. Marietta, Gaston, Zoghby, Box, Harper, Kvalheim, Buskey (James), Kennedy, Clark (W), and Turner:

H. J. R. 102. COMMENDING CATHERINE PRUETT OF MOBILE, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

By Reps. Marietta, Kvalheim, Zoghby, Harper, Turner, Gaston, Box, Buskey (James), Kennedy, and Clark (W):

H. J. R. 103. CONGRATULATING MR. AND MRS. WALTER ALLEN PRINE ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

By Rep. Richardson:

H. J. R. 104. COMMENDING MRS. SALLIE BROOKS, SCOTTSBORO, ALABAMA, ON THE OCCASION OF HER 100TH BIRTHDAY.

Also:

By Rep. Richardson:

H. J. R. 105. COMMENDING KENNETH TOWNSON FOR OUTSTANDING SERVICE TO THE HIGDON, BRYANT AND FLAT ROCK COMMUNITIES.

Also:

By Rep. Junkins:

H. J. R. 106. COMMENDING 1985 ALL-PRO CHAMPION, STEVE GRISSOM OF GADSDEN, ALABAMA.

Also:

By Rep. Pratt:

H. J. R. 113. COMMENDING JACK HALE, PROMINENT BESSEMER EDUCATOR.

Also:

By Rep. Pratt:

H. J. R. 114. CONGRATULATING MR. AND MRS. VIRGIL SADBERRY ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

By Rep. Pratt:

H. J. R. 115. CONGRATULATING MR. AND MRS. LAWRENCE NOLEN ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolutions, H. J. R.'s 101, 102, 103, 104, 105, 106, 113, 114, and 115, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.



REPORTS OF COMMITTEES

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Drinkard:

S. 95. To provide that upon the death of a state employee his beneficiary shall be entitled to a payment of at least one-half of his accrued sick leave.

By Senators Bennett, Bedford, Cooley, Aldridge, Barron, Covington, Amari, Parsons, deGraffenried, Cabaniss, and Langford:

S. 211. To appropriate funding to provide for the identification, preliminary assessment and ranking of abandoned or inactive sites at which improper disposal of hazardous substances has occurred, resulting in the potential for deleterious impacts on groundwater or the health and welfare of the citizens of the state, as well as on the state's natural, environmental, and biological systems; to direct the Alabama Department of Environmental Management to assess the financial and other resources needed to clean up those sites identified by this study; to provide that the monies appropriated be administered by the Alabama Department of Environmental Management.

By Senator Mitchem:

S. 229. To make a supplemental appropriation from the general fund of the state treasury to the Alabama Manufactured Housing Commission for the current fiscal year.

By Senator Langford:

S. 37. To create the Municipal Government Capital Improvement Fund; to make certain annual appropriations to such fund from the General Fund of the State based upon the amounts of income from the investment of certain moneys derived by the State from the leasing of rights in and royalty payments from offshore oil, gas and other hydrocarbon minerals; to provide for the distribution of such appropriations among incorporated municipalities; and to provide for the uses to which such monies shall be put.

By Senator Foshee:

S. 61. To amend Section 29-1-22, Code of Alabama 1975, which provides for legislative funding, so as to provide further for said funding.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senators Bailey, Mitchem, Hand, Bedford, Dial, deGraffenried, Langford, Foshee, Covington, Little, Aldridge, Denton, Teague, Goodwin, Menton, and Barron (With Amendment):

S. 235. To provide for the foster children of the state of Alabama an annual school clothing and supplies allowance.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the

following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Little:

S. 223. To amend Section 41-19-10 of the Code of Alabama 1975, relating to operation plans or budget management by state agencies/departments generally, so as to provide further for such budget management.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Senators Bennett, Goodwin, Bedford, Mitchem, Horn, Denton, Ellis, Amari, Teague, Hilliard, Parsons, Bishop, Cabaniss, Drinkard, Foshee, deGraffenried, Little, Dixon, Langford, Bedsole, and Menton (With Amendments):

S. 168. To provide a supplemental appropriation of \$2,500,000 to the Department of Pensions and Security from the State General Fund for FY 1985-86 and to provide a conditional appropriation of \$6,750,000 to the Department of Pensions and Security from the State General Fund for FY 1985-86 to pay awards made by the Board of Adjustment due to the default of payments to state agencies by the Department of Pensions and Security in FY 1984-85.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senators Denton, Bishop, Aldridge, Teague, Parsons, Foshee, Covington, Strong, Amari, Ellis, Corbett, Menton, and Bennett (With Amendment):

S. 158. To create the County Government Capital Improvement Fund; to make certain annual appropriations to such fund from the General Fund of the State based upon the amounts of income from the investment of certain moneys derived by the State from the leasing of rights in and royalty payments from offshore oil, gas and other hydrocarbon minerals; to provide for the distribution of such appropriations among county governments; and to provide for the uses to which such moneys shall be put.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senators Mitchem, Hand, Figures, Menton, Bedsole, Bedford, and Little:

S. 204. To amend Section 3 of the amendment to the Constitution of Alabama of 1901 proposed by Act No. 85-79, H. 6, of the 1985 First Special Session, which provides for a permanent trust fund known as "The Alabama Trust Fund" with certain moneys derived by the state from the sale, leasing or other disposition of its rights in certain offshore oil, gas and other hydrocarbon minerals, so as to provide further for the membership of the board of trustees of such trust fund.

The above Bill was read a second time at length as required by the Constitution.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator deGraffenried (With Amendment):

S. 85. To further amend § 40-23-1, Code of Alabama 1975, as amended, which section contains various definitions applicable to the Alabama sales tax, so as to amend the definition of "sale or sales," and declaring that this bill does not provide any grounds for jurisdiction for collecting sales or use tax over retailers who have not otherwise submitted to the jurisdiction of this state for tax purposes.

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Teague (With Amendment):

S. 197. To provide further for the annual salary of the state treasurer, state auditor, and secretary of state of this state.

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Teague:

S. 199. To authorize municipalities whose corporate limits include territory lying in two or more counties of this State to annex any portion not exceeding two (2) acres in size of unincorporated territory which is enclosed within and surrounded by existing corporate limits of such municipalities provided such unincorporated territory has been so enclosed and surrounded for a period of three (3) years or more prior to annexation hereunder; and provided further, that no part of such territory to be annexed is public school property, and, provided further, that any portion of such unincorporated area to be annexed shall be limited to two (2) acres in size; to authorize exemption from municipal ad valorem taxes; and to prescribe procedures for the annexation of such territory.

By Senator Little:

S. 200. To provide that employees of the Alabama Film Commission shall be unclassified employees and to allow such employees to be covered as members of the state employees' retirement system and the state employees' health insurance plan, and to provide certain retroactive effect.

By Senators Foshee and Covington:

S. 174. To amend Section 3 of Act No. 83-69, H. 5, 1983 First Extraordinary Session of the Alabama Legislature relating to the establishment

of the position of the Commissioner of the Department of Corrections as a state merit position.

By Senator Hilliard (With Notice and Proof):

S. 318. To provide for the authorization by the county governing body and the creation in any county or counties in Alabama of a public corporation for the purposes of flood control in circumstances affecting urban areas of any one or more counties in Alabama to be known as the (name of county) Flood Control Authority with its principal office to be located in the county seat of such county; to provide for a board of directors, prescribe the method of their appointment, and the powers and duties of such Authority, including the employment of personnel, attorneys, architects, engineers, consultants and agents; to authorize the State of Alabama, and counties and municipalities therein, to contract with and to appropriate funds to such Authority and to issue general obligation or revenue bonds or warrants to finance projects contracted for; to provide that the debts and obligations of such Authority shall not be debts of the state, county or any municipality therein; to exempt the Authority and its property from state, county, and municipal taxation; to authorize state, county and municipal appropriations to such Authority; to authorize such Authority to receive federal, state, local government and private grants and authorize counties and municipal governments to contract with the Authority for projects and to finance the same with public funds; to make the provisions hereof severable; and, to establish an effective date of the Act.

By Senator Hilliard:

S. 259. To authorize municipalities having a population of more than 250,000 in said county according to the last federal decennial census, in the discretion of its governing body, upon the purchase of real property situated in Jefferson County by the municipality for park or other public purposes, to indemnify the seller of such property with respect to liability which might thereafter arise on account of underground mining operations conducted on or under said property prior to the sale thereof to such municipality.

The above Bill was read a second time at length as required by the Constitution.

By Senator Hilliard:

S. 265. To amend section 11-81-11, Code of Alabama 1975, so as to authorize county and municipal governments to sell their bonds by negotiated process if the governing body shall find that such process is desirable to gain the lowest net interest cost.

By Senator Hilliard:

S. 258. To provide to property owners the right to annex property to any contiguous approved municipality.

By Senator Parsons:

S. 192. To amend Section 36-7-20 of the Code of Alabama 1975 so as to further provide that the per diem travel allowance for employees stationed at the same place in the state for a period in excess of two consecutive months shall be reduced to an amount equal to \$5.00 less than the regular per diem allowance fixed by the governor.

By Senator deGraffenried:

S. 141. To amend Section 36-16-8 of the Code of Alabama 1975, to increase the dollar value from \$100.00 to \$500.00 for nonconsumable property that has to be reported by the property manager of each department or agency of the state to the property inventory control division, and decreasing the frequency of reporting from every six months to every year.

By Senator deGraffenried:

S. 138. To amend Section 41-1-6 of the Code of Alabama 1975, so as to increase the dollar value from \$100.00 to \$500.00 for nonconsumable personal property which has to be reported by the property manager of each department or agency of the state, and decreasing the frequency of the report from every six months to once every year.

By Senators Corbett, Drinkard, Bedsole, Hilliard, Menton, Teague, Bennett, Strong, Horn, Bedford, Aldridge, Barron, Dial, Ellis, deGraffenried, Smith (J), Foshee, Covington, Goodwin, Langford, Hand, Cooley, Bishop, and Parsons:

S. 341. Changing the name of the department of pensions and securities to the "Alabama state department of human resources" and providing for the efficient replacement of certain supplies used by such department.

Senator Corbett, Chairperson of the Standing Committee on Business and Labor Relations, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senators Parsons, Corbett, Drinkard, Strong, Holmes, Goodwin, Little, Denton, Amari, Langford, Bedford, Bennett, Hilliard, Menton, deGraffenried, Bishop, Horn, Teague, Foshee, and Ellis (With Substitute):

S. 170. To require all state entities and political sub-divisions thereof to purchase American made goods and to provide that contracts in violation are void.

Senator Corbett, Chairperson of the Standing Committee on Business and Labor Relations, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senators Corbett, Figures, and Sanders:

S. 203. To supplement the Workmen's Compensation Act, so as to provide compensation for disability or death due to Cotton Textile Workers Lung Disease; to provide that the provisions of this act shall apply to employment contracts made on or after September 1, 1971; to provide for the manner of compensation, the rights and remedies of employees and civil and criminal liability of employers; and to provide for a limitation period of claims for compensation.

Senator Foshee, Chairperson of the Standing Committee on Buildings and Grounds, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Ellis (With Amendment):

S. 316. To amend Section 28-3A-11 of the Code of Alabama 1975, relating to lounge retail liquor license so as to create a separation of package retail liquor license from the lounge retail liquor license.

Senator Covington, Vice Chairperson of the Standing Committee on Industrial Expansion, Economic Growth, and Jobs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senators Strong, Langford, and Hand (With Amendment):

S. 136. To create the Mowa Choctaw Housing Authority; provide for the terms of the members and officers of the Authority; and provide for the powers of the Authority.

Senator Covington, Vice Chairperson of the Standing Committee on Industrial Expansion, Economic Growth, and Jobs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Foshee:

S. 164. To amend Section 9-13-63, Code of Alabama 1975, which provides for the maintaining of records of purchases of manufactured forest products, so as to increase the penalty for failure to maintain such records.

By Senators Bedsole, Strong, and Denton:

S. 334. To provide for local governments in the State of Alabama to convert untenanted portions of commercial and industrial buildings into joint living and work quarters for artists under a redevelopment plan.

Senator Holmes, Chairperson of the Standing Committee on Small Business, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Foshee (With Amendment):

S. 240. To amend section 34-25-24, Code of Alabama 1975, which relates to the issuance of licenses by the state polygraph examiners board to non-resident applicants who are licensed in another state, so as to provide further for the fees charged for the issuance of licenses to such applicants.

Senator Holmes, Chairperson of the Standing Committee on Small Business, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Foshee:

S. 242. To amend Section 9-17-106 of the Code of Alabama 1975, relating to liquefied petroleum gas permit fees so as to increase the amount of permit fees.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the

following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Hand (With Notice and Proof):

S. 185. Relating to Baldwin County; to alter, rearrange and extend the boundary lines and corporate limits of the municipality of Gulf Shores, in Baldwin County; to provide for a referendum election of the qualified electors who reside within the territory proposed to be brought within the municipal limits of Gulf Shores.

By Senator Barron (With Notice and Proof):

S. 228. Relating to Jackson County; to authorize the probate judge to set the fee for supplying a copy of an instrument; to place the proceeds from the fees in a special fund and provide for its use.

By Senator Dial (With Notice and Proof):

S. 267. Relating to Clay County; providing further for the expense allowance and salary for the county coroner.

By Rep. Faulk (With Notice and Proof):

H. 27. Relating to Butler County; abolishing the office of constable in such county.

By Rep. White (L) (With Notice and Proof):

H. 34. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Alexander City, in Tallapoosa County.

By Reps. Goodwin, Starkey, and Clark (D) (With Notice and Proof):

H. 50. Relating to Lauderdale County; to extend, alter, and rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

By Rep. Hammett (With Notice and Proof):

H. 109. To provide for the total county salary supplement for the district judge of the 22nd Judicial Circuit; and to repeal conflicting laws.

By Rep. Hammett (With Notice and Proof):

H. 110. Relating to Covington County; to require the installation and maintenance of an improved system of indexing documents affecting the title to property and other documents recorded in the office of the Judge of Probate; to provide the collection and disposition of a special indexing fee; and to provide that said system shall constitute official and permanent records in Covington County.

By Rep. Newman (With Notice and Proof):

H. 239. Relating to Fayette County; providing for an additional expense allowance for the county coroner.

By Rep. Carter (With Notice and Proof):

H. 201. Relating to Limestone County; to provide further for the duties of the Probate Judge so as to allow the Probate Judge of Limestone County,

Alabama, to have one general index book relative to transactions in the Probate Office of Limestone County and making the provisions retroactive to January 1, 1974.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that the following Bill had been placed on the Consent Calendar, for today, to-wit:

By Senator Dial:

S. 87. To amend sections 34-26-22, 34-26-43 and 34-26-43.1, Code of Alabama 1975, relating to the Board of Examiners In Psychology, so as to provide for increases in certain fees charged by the Board.

### MOTION IN WRITING

Senator Bedford offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 147, on page 30 of the Sixth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 147, referred to the Standing Committee on Rules for placement on the Consent Calendar.

### BUDGET ISOLATION RESOLUTION

On motion of Senator Dixon, the Rules were suspended and the B. I. R., S. B. 225, was adopted by the Senate.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Goodwin	Menton	
Amari	Denton	Hand	Mitchem	
Bailey	Dial	Holmes	Parsons	
Bedford	Dixon	Horn	Smith (B)	
Bedsole	Ellis	Langford	Smith (J)	
Bishop	Figures	Little	Teague	
Cabaniss	Foshee			—25

Nays:

—0

### BILLS ON THIRD READING

THE BILL:

S. 225. Relating to Montgomery County; to legalize the sale of draft or keg beer or malt beverages.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.



REGULAR SESSION  
6th Day

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Yeas 25; Nays 0.

Abstaining 1.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Amari	Denton	Hand	Mitchem	
Bailey	Dial	Holmes	Parsons	
Bedford	Dixon	Horn	Smith (B)	
Bedsole	Ellis	Langford	Strong	
Bishop	Figures	Little	Teague	
Cabaniss	Foshee			—25

*Nays:* —0

*Abstaining:* Senator Smith (J) —1

**ADJOURNMENT**

At 2:45 P.M., on motion of Senator Horn, the Senate adjourned until Tuesday, February 4, 1986, at 2 o'clock P.M.

**SEVENTH LEGISLATIVE DAY  
TUESDAY, FEBRUARY 4, 1986**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

**PRAYER**

The Session was opened with prayer by Mr. Bennett Hughen, Chaplain, American Legion Department of Alabama, Montgomery, Alabama.

**PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Shari Ely, St. Jude High School, Montgomery, Alabama.

**ROLL CALL**

Present:

Senators:	Cabaniss	Figures	Menton
Aldridge	Cooley	Foshee	Mitchem
Amari	Corbett	Goodwin	Parsons
Bailey	Covington	Hand	Sanders
Barron	deGraffenried	Hilliard	Smith (B)
Bedford	Denton	Holmes	Smith (J)
Bedsole	Dixon	Horn	Strong
Bennett	Drinkard	Langford	Teague
Bishop	Ellis	Little	

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**JOURNAL**

On motion of Senator Teague, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Sixth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

**COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Sixth Legislative Day was approved by the Senate.

**LEAVE OF ABSENCE**

On motion of Senator Teague, leave of absence was granted Senator Dial for today.

## INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator deGraffenried:

S. 381. Relating to civil liability for selling or furnishing alcoholic beverages unlawfully; to provide liability only for selling, giving or otherwise disposing of alcoholic beverages directly to a minor or in an unlawful manner directly to a person causing intoxication; to limit exemplary damages to willful or wanton acts; to define vendor; to provide liability for sales by the vendor itself or by or through its agents, servants and employees; to amend Code of Alabama 1975, §§6-5-70 and 6-5-71; and to repeal all laws or parts of law in conflict herewith.

Committee on Judiciary.

By Senator Covington:

S. 382. To require that group, individual, or blanket hospital or medical expense insurance contracts issued for delivery in this state which include mental health services in the terms of the policies or contracts, shall include reimbursement for services rendered by a duly qualified clinical counselor of this state upon referral from and under the supervision of a medical doctor notwithstanding any provision of the policies or contracts to the contrary.

Committee on Banking and Insurance.

By Senator Ellis (With Notice and Proof):

S. 383. Relating to Shelby County; to regulate the liquor traffic of certain clubs in certain instances pursuant to the authority of Section 104 of the state Constitution.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 383, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Smith (J):

S. 384. To amend Sections 20-2-80 and 20-2-81 of the Code of Alabama 1975, relating to controlled substances so as to provide that this act be titled "Drug Baron's Enforcement Act of 1986," and to provide further for life in prison without parole for actual or constructive possession of a specified amount of certain controlled substances or mixtures containing certain controlled substances and to provide that the imposition of said sentence shall not be suspended.

Committee on Judiciary.

By Senator Covington:

S. 385. To require that any bill introduced in the legislature which attempts to annex territory to a municipality or otherwise change the boundary lines of any municipality shall contain an accurate description of the territory to be annexed or removed from such municipality along with

a map of such territory attached; to provide that a copy of such map be filed with the judge of probate of the county or counties where such territory is located and to require that any publication of notice of intent to apply for a local law annexing territory to a municipality or otherwise changing the boundary lines of any municipality shall state that a copy of such map is on file in the office of the probate judge and open to inspection by the public.

Committee on Buildings and Grounds.

By Senator Teague:

S. 386. To amend Section 36-21-2 of the Code of Alabama 1975, relating to subsistence allowance for certain law enforcement officers, so as to provide further for such allowance.

Committee on Finance and Taxation.

By Senators Bedsole, Menton, Bailey, Foshee, Dixon, and Bedford:

S. 387. Requiring the statewide administrative control, supervision and regulation including certain registration and licensing of the practice of barbering, teaching of barbering, barbers, barber instructors, barber students, barber apprentices, barbershops, and barber schools; creating a state barber board for such purpose; prescribing the powers and duties of said board; abolishing all local county barber boards or commissions; providing penalties for violations; repealing or superseding all laws, whether general, general of local application, special or local, which conflict with this act; and specifically repealing sections 34-5-1 through 34-5-16 of the Code of Alabama 1975.

Committee on Small Business.

By Senator Hand:

S. 388. Proposing an amendment to the Constitution of Alabama 1901, providing that any local, general or special bill which impacts on the revenues of a particular county shall be voted on throughout the legislative process only by those members of the legislature who represent either all or a portion of the affected county.

Committee on Constitutional Revision.

The above Bill was read a first time at length as required by the Constitution.

By Senator Teague:

S. 389. To make the illegal possession of food stamps a criminal offense and to prescribe the punishment for the commission of such crime.

Committee on Judiciary.

By Senators Bennett, Cabaniss, Horn, and Hilliard (With Notice and Proof):

S. 390. To further amend Sections 18 and 20 of an act designated as Act #248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of the Legislature of Alabama of 1945, pp. 376-400) as heretofore amended relating to creating and establishing in counties having a population of 400,000 or more according to the last or any future federal census, a countywide civil service system. To provide for

appointment of department heads from all qualified candidates unless the appointing authority shall request the three ranking eligibles only.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 390, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Holmes:

S. 391. To amend sections 8-17-210, 8-17-211, 8-17-217, 8-17-218, 8-17-221, 8-17-222, 8-17-224, and 8-17-226, Code of Alabama 1975, which provide for the regulation of fireworks in Alabama, so as to revise the definition of "retailer" to include provisions for seasonal retailers; to revise the definition of "distributor" to include provisions for all persons making sales of fireworks for resale; to require all permits to be displayed; to require persons shipping fireworks within the state to apply for permits; to prohibit mail order sales of fireworks; to provide further for permit fees and the distribution of proceeds therefrom; to provide further for the prohibition of the sale of certain fireworks; to provide further for the display of fireworks; to prohibit sales of fireworks to persons under 16, and to provide for the sale of confiscated fireworks.

Committee on Small Business.

By Senator Barron:

S. 392. To amend Sections 22-21-20 and 22-21-27, Code of Alabama 1975, as amended, to include and provide for the licensure of home health agencies and hospice.

Committee on Health and Welfare.

By Senators Cabaniss, Hand, and Bedsole:

S. 393. To amend sections 17-10-4, 17-10-5, and 17-10-11 of the Code of Alabama 1975 relating to absentee voting, so as to provide further for such voting and to prescribe penalties for certain absentee voting violations.

Committee on Governmental Affairs.

By Senators Cabaniss and Bedsole:

S. 394. To amend Section 36-25-27, Code of Alabama 1975, which prescribes penalties for violations of the State Ethics Law, so as to establish the minimum possible penalty for violating the law at two years imprisonment or a minimum fine of \$2,001.00, or both.

Committee on Judiciary.

By Senators Cabaniss and Bedsole:

S. 395. To amend Sections 36-25-1, 36-25-4, 36-25-6, 36-25-12, 36-25-14, 36-25-15, and 36-25-27, Code of Alabama 1975, so as to delete the definition of "legislative employee"; add the definition of "statement of economic interests," and "thing of value," redefine "public employee" and "public officials and their families"; to provide further for the filing of statement of economic interests by public officials; to provide for an annual

lobbyist fee; to provide for the notification of candidacy of certain public officials; to remove the prohibition against investigating anonymous complaints and certain other complaints; to prohibit witnesses, complainants or informants from making public statements until an investigation is complete; to grant subpoena power to the commission and to authorize it to employ an attorney; to prohibit certain officials and employees of regulatory agencies and certain public officials, employees and families from soliciting or accepting anything of value from certain persons or organizations; and to provide further for penalties for violations.

Committee on Judiciary.

## RESOLUTIONS

Senators Amari and Parsons offered the following Senate Joint Resolution, to-wit:

S. J. R. 85. CALLING UPON THE STATE HIGHWAY DEPARTMENT TO REVIEW AND ANALYZE THE CONSTRUCTION OF "CORRIDOR X" AND TO MAKE RECOMMENDATIONS AS TO THE BEST ROUTE.

WHEREAS, in 1978 federal approval of the "Corridor X" highway project connecting Memphis, Tennessee and Birmingham, Jefferson County was secured; and

WHEREAS, this improved transportation system will generate additional industrial, commercial and residential development producing great economic benefits for the Birmingham-Jefferson County area; and

WHEREAS, the construction of "Corridor X" in conjunction with the development of the proposed "Northern Belt Line" will be a socio-economic stimulus to Birmingham-Jefferson County as well as the entire State of Alabama, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we request the State Highway Department to review and analyze all pertinent data concerning population growth, suitability of land development, cost of actual highway construction, cost of infra-structure and impact on environment and all other reasonable factors, and coordinate this information with information available through the Jefferson County Commission, City of Birmingham, Birmingham Regional Planning Commission, and UAB-Center for Urban Affairs and any other informative entity necessary to facilitate a final determination so that construction may begin on the "Corridor X" Highway; that the State Highway Department immediately begin and expeditiously conclude any and all environmental impact studies required as to all possible alternate routes under discussion within the corridor from Memphis to Birmingham, Jefferson County; and that the State Highway Department compile the above information and environmental impact studies and incorporate said findings into a comprehensive Birmingham, Jefferson County and State Highway Department transportation system, including in this decision process the coordination of the construction of "Corridor X" in conjunction with the development of the proposed "Northern Belt Line".

BE IT FURTHER RESOLVED, That the State Highway Department make a final determination and recommendation as to the best route for "Corridor X" including with this determination a final environmental impact study as to the particular route selected, and that the department present

a copy of their findings and recommendations to the Legislature on or before March 1, 1986, with a copy of their findings and recommendations to be provided all members of the Jefferson County House and Senate delegation.

On motion of Senator Hilliard, the Rules were suspended and the Resolution was adopted by the Senate.

Senators deGraffenried and Bishop offered the following Senate Joint Resolution, to-wit:

**S. J. R. 86. TO CLARIFY THE INTENT OF THE LEGISLATURE TO FUND MENTAL RETARDATION AND MENTAL HEALTH COMMUNITY PROGRAMS.**

WHEREAS, the Alabama Legislature passed a bill, Act #85-86, appropriating funds for the ordinary expenses of the executive, legislative and judicial departments of the State; and,

WHEREAS, in that appropriation, a transfer of \$4,500,000 from Pensions and Security—Title XX funds—Community Programs to the Department of Mental Health and Mental Retardation was made for day care programs and transitional services for the mentally retarded and mentally ill citizens in the State; and,

WHEREAS, such transfer is further specified in the appropriation to the Department of Pensions and Security as "Title XX Transfer to the Department of Mental Health and Mental Retardation" of \$4,500,000; and,

WHEREAS, it was and is the intent of the Legislature that said transfer shall be made to fund day care and transitional services for the mentally retarded and mentally ill; and,

WHEREAS, failure to transfer said Title XX funds will result in the closing of 27 day care centers for the mentally retarded, 13 transitional homes for the mentally ill, the only two residential programs for acutely disturbed children, and selected D & E services; and,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** that we hereby direct the Department of Pensions and Security to perform such transfer as the legislature appropriated to the Department of Mental Health and Mental Retardation.

On motion of Senator deGraffenried, the Rules were suspended and further consideration of the Resolution, S. J. R. 86, was postponed subject to the call of the Chair.

Senators Bailey and Mitchem offered the following Senate Resolution, to-wit:

**S. R. 87. NAMING HIGHWAY 84 EAST IN HOUSTON COUNTY, "THE JOHN L. MURPHREE BOULEVARD."**

Which was adopted.

Senator Hand offered the following Senate Joint Resolution, to-wit:

**S. J. R. 88. COMMENDING REESE CATER LEE, 1985 "FREE ENTERPRISE PERSON OF THE YEAR."**

WHEREAS, in consensus of highest commendation, the Alabama Legislature notes the selection of Reese Cater Lee of Foley, Alabama, as the

recipient of the 1985 Walton Vines Free Enterprise Person of the year Award, a prestigious recognition of the South Baldwin Chamber of Commerce; and

WHEREAS, Mr. Lee, who is a veteran of World War II, served as a Captain in the United States Army Air Corps and as a navigator and bombardier, flying B-24 combat missions in the European Theatre; and

WHEREAS, a past president of the Foley Rotary Club, Gulf Shores Golf Club and the South Baldwin Chamber of Commerce, Mr. Lee also served four years as a Gulf Shores city councilman, is a past chairman of the City of Gulf Shores Water Works Board and currently serves as chairman of the Government Utilities Service Corporation; and

WHEREAS, Mr. Lee is president and chairman of the board of Vulcan, Inc., a corporation he was instrumental in forming in 1966 in Birmingham; the company then bought an existing division of a larger company and moved the headquarters to Foley in 1968, with sales since expanding from a modest level to a present volume in the tens of millions of dollars; and

WHEREAS, under Cater Lee's leadership and as a result of expansion and acquisition, the Vulcan Company employs over 300 people in five manufacturing facilities, and has never experienced an unprofitable year; and

WHEREAS, Mr. Lee's success with Vulcan, Inc., indeed reflects his deep personal commitment to the Free Enterprise System and to the benefits thereof available to all citizens of this great nation; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of outstanding accomplishment and achievement, and in gratitude for his contributions to and in support of free enterprise, we hereby most highly commend the 1985 Walton Vines Free Enterprise Person of the year, Reese Cater Lee, whom we hold in highest regard and for whom a copy of this resolution shall be provided.

On motion of Senator Hand, the Rules were suspended and the Resolution was adopted by the Senate.

### BUDGET ISOLATION RESOLUTION

On motion of Senator Barron, the Rules were suspended and the B. I. R., S. B. 228, was adopted by the Senate.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Menton
Aldridge	Cooley	Goodwin	Mitchem
Amari	Corbett	Hand	Parsons
Barron	Denton	Holmes	Sanders
Bedsole	Dixon	Horn	Strong
Bennett	Ellis	Little	Teague
Bishop	Figures		

—25

Nays:

—0

### RESOLUTION

Senators Bedsole, Aldridge, Amari, Bailey, Barron, Bedford, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial,



Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Horn, Langford, Little, Menton, Mitchem, Parsons, Sanders, Smith (B), Smith (J), Strong, and Teague offered the following Senate Joint Resolution, to-wit:

**S. J. R. 89. MOURNING THE DEATH OF C. M. A. ROGERS, III, OF MOBILE, ALABAMA.**

WHEREAS, it is with deep sadness and regret that the Legislature of Alabama records the untimely death of C. M. A. Rogers, III, of Mobile, Alabama, on December 4, 1985, at the age of just 53 years; and

WHEREAS, a native and lifelong resident of Mobile, Max Rogers was a 1954 graduate of Williams College and served on active duty with the United States Air Force for two years prior to entering the University of Alabama School of Law in 1957; and

WHEREAS, Mr. Rogers received the LL.B. degree in 1959, whereupon he entered and was engaged in the private practice of law in Mobile until 1967, at which time he joined the American National Bank and Trust Company of Mobile, rising to the rank of Chairman of the Board and Chief Executive Officer; following the merger of American National Bank and Trust into AmSouth Bank N.A., in 1983, Mr. Rogers continued as Chairman of the Board, Southern Region, until September 1985; and

WHEREAS, in addition to extraordinary service and contribution to the legal and banking professions, Mr. Rogers also distinguished himself in service to the state and community as a member of the Alabama House of Representatives (1961-1966) and subsequently as a member of the Board of Trustees, Mobile Public Library, and of the Policemen and Firefighters Pension and Relief Fund Board; he further served ten years as vice president of the Mobile Area Chamber of Commerce and was a member of the Warrior Tombigbee Development Association and a member and former president of the Industrial Development Board of the City of Mobile; and

WHEREAS, Mr. Rogers extended his involvement to include sustained activities and leadership positions with such organizations as Mobile Community Foundation, Mobile United, Community Chest and Council, United Way of Mobile County, and Boy Scouts of America; he also was an ardent supporter and a leading proponent of both the arts and education communities in the Mobile area and was a member and former vestryman of Saint Paul's Episcopal Church; and

WHEREAS, Max Rogers, who additionally was a founder and original board member of Gulf Coast Public Broadcasting, Inc., was included in such prestigious publications as Who's Who in America, Who's Who in the South and Southwest and Who's Who in Finance and Industry; and

WHEREAS, in 1982, King Boudouin of Belgium bestowed the honor of Knight, Order of the Crown, upon Mr. Rogers who had served as Belgian Consul of Alabama and Northwest Florida from 1970 on, and as Chairman of the Consular Corps of Mobile from 1974 to 1976; and

WHEREAS, C. M. A. Rogers, III, was indeed a first citizen of Mobile and the entire State of Alabama; he was a man of rare generosity and, in singular service to his fellow citizens, left a lasting and bountiful legacy for generations to come; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That even as we mourn, we give

thanks for the life of C. M. A. Rogers, III, of Mobile, Alabama, and direct that copies of this resolution be provided for his wife, Gail Whitehurst Rogers; his daughter, Anne R. Gallant; sons, C. M. A. Rogers, IV, and Bradshaw A. Rogers; and other family members whose profound sorrow we sincerely share.

On motion of Senator Bedsole, the Rules were suspended and the Resolution was adopted by the Senate.

### BUDGET ISOLATION RESOLUTION

On motion of Senator Bedford, the Rules were suspended and the B. I. R., H. B. 239, was adopted by the Senate.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Menton	
Aldridge	Cooley	Goodwin	Mitchem	
Amari	Corbett	Hand	Parsons	
Bailey	Denton	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bennett	Ellis	Little	Teague	
Bishop	Figures			—25

*Nays:* —0

### RESOLUTION

Senators Little and Foshee offered the following Senate Resolution, to-wit:

S. R. 90. COMMENDING FORMER ANDALUSIA COACH, DON SHARPE, ON HIS OUTSTANDING CAREER.

Which was adopted.

### BILLS ON THIRD READING

Senator Barron requested and received permission to suspend the Rules in order to bring up the Bill:

S. 228. Relating to Jackson County; to authorize the probate judge to set the fee for supplying a copy of an instrument; to place the proceeds from the fees in a special fund and provide for its use.

And said Bill, S. B. 228, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Menton	
Aldridge	Cooley	Goodwin	Mitchem	
Amari	Corbett	Hand	Parsons	
Barron	Denton	Holmes	Sanders	
Bedsole	Dixon	Horn	Strong	
Bennett	Ellis	Little	Teague	
Bishop	Figures			—25

*Nays:* —0

REGULAR SESSION  
7th Day

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Senator Barron then requested and received permission to suspend the Rules in order to bring up the Bill:

H. 239. Relating to Fayette County; providing for an additional expense allowance for the county coroner.

And said Bill, H. B. 239, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Hand	Mitchem
Bailey	Denton	Hilliard	Parsons
Bedford	Dixon	Holmes	Sanders
Bennett	Drinkard	Horn	Strong
Bishop	Ellis	Little	Teague
Cabaniss	Figures		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

On motion of Senator Little, the Rules were suspended and the B. I. R., H. B. 34, was adopted by the Senate.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Ellis	Little
Amari	Cabaniss	Figures	Mitchem
Bailey	Cooley	Foshee	Parsons
Barron	Corbett	Hand	Sanders
Bedford	Denton	Holmes	Strong
Bedsole	Dixon	Horn	Teague
Bennett	Drinkard		

—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

Senator Little requested and received permission to suspend the Rules in order to bring up the Bill:

H. 34. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Alexander City, in Tallapoosa County.

And said Bill, H. B. 34, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Figures	Little
Aldridge	Cooley	Foshee	Mitchem
Amari	Corbett	Goodwin	Parsons
Bailey	Denton	Hand	Sanders
Barron	Dixon	Holmes	Strong
Bedsole	Drinkard	Horn	Teague
Bishop	Ellis		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

On motion of Senator Smith (J), the Rules were suspended and the B. I. R., H. B. 201, was adopted by the Senate.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Menton	
Amari	Cooley	Hand	Mitchem	
Bailey	Corbett	Hilliard	Parsons	
Barron	Denton	Holmes	Sanders	
Bedford	Dixon	Horn	Smith (J)	
Bedsole	Ellis	Little	Teague	
Bennett	Figures			—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

Senator Smith (J) requested and received permission to suspend the Rules in order to bring up the Bill:

H. 201. Relating to Limestone County; to provide further for the duties of the Probate Judge so as to allow the Probate Judge of Limestone County, Alabama, to have one general index book relative to transactions in the Probate Office of Limestone County and making the provisions retroactive to January 1, 1974.

And said Bill, H. B. 201, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Menton	
Amari	Cooley	Hand	Mitchem	
Bailey	Corbett	Holmes	Parsons	
Barron	Denton	Horn	Sanders	
Bedford	Dixon	Langford	Smith (J)	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

*Nays:* —0

**RESOLUTIONS**

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 91. COMMENDING THOMAS KING JEFFERSON OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE AND PROFESSIONAL ACHIEVEMENT.

Also:

S. R. 92. COMMENDING HARRY F. VINCENT OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Which were adopted.

Senators Figures, Sanders, Hilliard, Langford, and Hand offered the following Senate Joint Resolution, to-wit:

**S. J. R. 93. MOURNING THE DEATH OF VERNON ZIONCHEK CRAWFORD OF MOBILE, ALABAMA.**

WHEREAS, it is with deep sadness and regret that the Legislature of Alabama records the death of Vernon Zionchek Crawford of Mobile, Alabama, on January 12, 1986, at the age of 66 years; and

WHEREAS, Vernon Crawford, a former merchant marine, was a graduate of Alabama State University and of the Brooklyn University School of Law; he was a prominent Mobile attorney, in the private practice of law for almost thirty years, and his prestigious firm produced some of our State's most well known lawyers; and

WHEREAS, Mr. Crawford's firm further filed numerous cases of great historic significance such as the Davis school desegregation case and Bolden versus the City of Mobile; and

WHEREAS, also a prominent civic and community leader, Vernon Crawford was a founder and officer of Gulf Federal Savings and Loan Association, and was a member of Kappa Alpha Psi fraternity, Utopia Club and the National, Alabama and Mobile Area Bar Associations, among numerous other affiliations and involvements; and

WHEREAS, the death of Vernon Zionchek Crawford has indeed left a deep void in the Mobile community and in the hearts of his family, his many friends, and all those whose lives he touched through genuine care and concern, and with great compassion for the needs of others; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Vernon Zionchek Crawford of Mobile, Alabama, and extend deepest sympathy to his beloved wife, Mrs. Jean Green Crawford; to his sons, Vernon Z., Jarrett C., John W. and Victor T. Crawford; and to other family members, whose inconsolable loss also is ours and to whom copies of this resolution shall be forwarded.

On motion of Senator Figures, the Rules were suspended and the Resolution was adopted by the Senate.

**MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the University of North Alabama.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 28th day of January, 1986.

To the Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Charles L. Beard, Jr.  
Route One, Box 74-C  
Sheffield, AL 35660

as a member of the University of North Alabama Board of Trustees.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 28th day of January, 1986.

#### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the University of North Alabama Board of Trustees, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the University of North Alabama.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 22nd day of January, 1986.

To the Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Charlie Maner  
2123 Whitesburg Drive  
Huntsville, AL 35801

as a member of the University of North Alabama Board of Trustees.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 22nd day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the University of North Alabama Board of Trustees, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
State House  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama Commission on Higher Education.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 27th day of January, 1986.

To the Senate of Alabama  
State House  
Montgomery, Alabama

Dear Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Richard A. Pizitz  
1821 2nd Avenue North  
Birmingham, AL 35203

as a member of the Alabama Commission on Higher Education.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 27th day of January, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Commission on Higher Education, was read and referred to the Standing Committee on Rules.

**REPORTS OF COMMITTEES**

Senator Parsons, Chairperson of the Standing Committee on Education, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Holmes (With Substitute):

S. 2. To provide further for the number of students in each academic classroom in the public schools in Alabama.

By Senators Holmes, Goodwin, deGraffenried, Dixon, Foshee, Parsons, Denton, and Teague (With Substitute):

S. 245. To require boards of education to defend school principals, members of the administrative and supervisory staffs and teachers whenever civil action has been brought against such persons for acts of willful neglect of duty, in the performance of duties within the policies of the board.

By Senator Bedsole (With Substitute):

S. 47. To authorize each chairman of the Senate and House of Representatives standing committees to select and utilize a legislative intern; to prescribe the qualifications and function of such intern and the expense stipend therefor; to provide that the public institution of higher education at which the intern is a full-time student shall ascribe the rate of credit available for such legislative experience; to provide the circumstances under which the legislative intern may be admitted to the floor of the respective chamber; to prescribe the length of service allowed legislative interns; and to authorize the payment of expenses from funds appropriated as a line item in Auburn University's budget.

Senator Foshee, Chairperson of the Standing Committee on Buildings and Grounds, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators deGraffenried, Langford, Ellis, Foshee, Hilliard, Denton, Menton, Covington, Goodwin, Drinkard, Strong, Aldridge, Cooley, Bishop, Smith (J), Teague, Amari, Figures, Bennett, Hand, Horn, Sanders, Bedsole, and Parsons:

S. 373. To authorize the Governor, the Director of Finance and the Chief Justice of the Supreme Court of the State of Alabama to become a public corporation to be known as Alabama Judicial Building Authority; to provide the procedure for incorporation; to designate the members, directors and officers of the Authority; to provide for meetings of the Authority; to prescribe the powers of the Authority, including the power to provide for the acquisition, construction, installation and equipping of judicial facilities which shall include one or more buildings and the site or sites therefor, the power of eminent domain, and the power to sell and issue a principal amount of bonds not to exceed \$40,000,000 for such purposes; to specify the application of the proceeds of the bonds of the Authority; to authorize the Authority to pledge such revenues from its leases as may be necessary to pay the principal of, premium, if any, and interest on its bonds; to empower the State Treasurer to disburse funds of the Authority; to provide for the lease of said judicial facilities to the Unified Judicial System for occupancy by its components including the Supreme Court, the Court of Civil Appeals, the Court of Criminal Appeals, the State Law Library and the Administrative Office of Courts; to provide for the investment of the proceeds from the sale of the bonds of the Authority; to authorize the issuance by the Authority of refunding bonds; to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge; to provide that all properties of the Authority and the income therefrom and all bonds issued and the income therefrom and all leases made and all lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that such



bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues of the Authority and shall not create an obligation or debt of the State of Alabama; to provide that any bonds issued by the Authority may be used as security for State deposits and investment of public funds and fiduciary funds; to provide that no earnings of the Authority shall inure to private entities; and to provide for dissolution of the Authority and conveyance of its properties to the State of Alabama upon payment of said bonds.

By Senators Sanders and Hilliard:

S. 376. To exempt certain printed materials from the provisions of the crime offense of gambling.

By Senator Bishop:

S. 380. To provide that in addition to all other offenses for which there shall be no statute of limitation, that there shall be added the offense of embezzling student government association's funds of any public institution in the state.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that the following Bill had been placed at the end of the Regular Order Calendar for today, to-wit:

By Senators Strong, Bedsole, Drinkard, and Goodwin:

S. 137. To amend Section 16-24-2, Code of Alabama, 1975, to allow county and city boards of education, upon the recommendation of the superintendent, to grant "continuing service status" to teachers who have completed at least one academic year of employment and who have had "continuing service status" previously granted in another school system.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that the following Bills had been placed on the Consent Calendar for today, to-wit:

By Senators Bailey and Strong:

S. 52. Relating to lakes or ponds in this state which are privately owned by three or less owners; to prohibit one owner or his or her guests or licensees from fishing upon any portion of the lake owned by another joint owner without permission of the other joint owner or owners; to provide that persons who violate this act shall be guilty of a violation of trespass in the third degree; and to authorize any landowner to obtain a professional land survey at his or her own expense of the property lying under the lake in order to determine which portion of the lake belongs to the landowner.

By Senators Strong, Bedsole, Langford, Ellis, Drinkard, and Goodwin:

S. 154. To create the Alabama Turkey Hunters Hall of Fame Board and Museum; to prescribe its purposes, membership and location; to provide for the appointment of its members and for the holding of meetings.

### MOTIONS IN WRITING

Senator Cooley offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 132, on page 16 of the Seventh Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 132, referred to the Standing Committee on Rules for placement on the Consent Calendar.

Senator Mitchem offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 229, on page 33 of the Seventh Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 229, referred to the Standing Committee on Rules for placement on the Consent Calendar.

Senator Mitchem then offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 204, on page 36 of the Seventh Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 204, referred to the Standing Committee on Rules for placement on the Consent Calendar.

Senator Hilliard offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 265, on page 40 of the Seventh Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 265, referred to the Standing Committee on Rules for placement on the Consent Calendar.

Senator Hilliard then offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 318, on page 39 of the Seventh Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 318, referred to the Standing Committee on Rules for placement on the Consent Calendar.

### RESOLUTIONS

Senator Ellis offered the following Senate Resolutions, to-wit:

S. R. 94. COMMENDING LeANNE RENAE CHURCH, SHELBY COUNTY JUNIOR MISS.

Also:

S. R. 95. COMMENDING LESLEY NAN WILSON, ST. CLAIR COUNTY JUNIOR MISS.

Which were adopted.

Senator Covington offered the following Senate Joint Resolution, to-wit:

S. J. R. 96. COMMENDING DOROTHY ANN AUTREY FOR OUTSTANDING ACHIEVEMENT.

WHEREAS, Dorothy Ann Autrey, a graduate of the D. A. Smith High School, Ozark, Alabama, received the B. A. degree in American History from Talladega College, Talladega, Alabama, in 1969, and the Master's degree, also in American History, from Notre Dame University, Notre Dame, Indiana, in 1971; and

WHEREAS, it is further to be noted, with highest commendation, that Ms. Autrey was awarded the PhD degree in American History from Notre Dame University in May 1985; the title of her dissertation was, "The National Association for the Advancement of Colored People in Alabama: 1913-1952"; and

WHEREAS, Dr. Autrey, who currently is employed at Berthune Cookman College in Daytona Beach, Florida, as a professor of history, is the first of her race in Dale County to receive such an advanced degree; and

WHEREAS, the daughter of the Reverend Dr. and Mrs. W. C. Autrey, pastor of the Greater Sardis Missionary Baptist Church in Ozark, Dr. Autrey is the fifth of seven children, all of whom have finished college and are serving their nation, state and community; and

WHEREAS, Dorothy Ann Autrey, when asked about her outstanding success and academic achievement, responds, "I made it by Faith in God and the prayers of my Father and Mother, and the spirit of perseverance. I shall always give God the credit for bringing me through."; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Dr. Dorothy Ann Autrey for outstanding academic achievement and contributions to her community, her county and her people.

BE IT FURTHER RESOLVED, That in token of our deep admiration and esteem, a copy of this resolution shall be forwarded to Dr. Autrey.

Which was read and referred to the Standing Committee on Rules.

#### MOTION IN WRITING

Senator Little offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 200, on page 38 of the Seventh Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 200, referred to the Standing Committee on Rules for placement on the Consent Calendar.

#### BUDGET ISOLATION RESOLUTION

On motion of Senator Hand, the Rules were suspended and the B. I. R., S. B. 185, was adopted by the Senate.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Figures	Menton
Amari	Cabaniss	Foshee	Mitchem
Bailey	Cooley	Hand	Parsons
Barron	Corbett	Holmes	Sanders
Bedford	Denton	Horn	Strong
Bedsole	Dixon	Little	Teague
Bennett	Ellis		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED**

Senator Hand requested and received permission to suspend the Rules in order to bring up the Bill:

S. 185. Relating to Baldwin County; to alter, rearrange and extend the boundary lines and corporate limits of the municipality of Gulf Shores, in Baldwin County; to provide for a referendum election of the qualified electors who reside within the territory proposed to be brought within the municipal limits of Gulf Shores.

And said Bill, S. B. 185, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bennett	Ellis	Little
Aldridge	Bishop	Figures	Menton
Amari	Cabaniss	Foshee	Mitchem
Bailey	Cooley	Hand	Sanders
Barron	Corbett	Holmes	Strong
Bedford	Denton	Horn	Teague
Bedsole	Dixon		

—25

*Nays:*

—0

**ADJOURNMENT**

At 3:50 P.M., on motion of Senator deGraffenried, the Senate adjourned until Thursday, February 6, 1986, at 11 o'clock A.M.

**EIGHTH LEGISLATIVE DAY**  
**THURSDAY, FEBRUARY 6, 1986**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

**PRAYER**

The Session was opened with prayer by the Reverend Wayne B. Jones, Pastor, Highland Avenue Baptist Church, Montgomery, Alabama.

**PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Teresa Mahan, Montgomery Academy, Montgomery, Alabama.

**ROLL CALL**

Present:

Senators:	Cabaniss	Figures	Menton
Aldridge	Cooley	Foshee	Mitchem
Amari	Corbett	Goodwin	Parsons
Bailey	Covington	Hand	Sanders
Barron	deGraffenried	Hilliard	Smith (B)
Bedford	Denton	Holmes	Smith (J)
Bedsole	Dixon	Horn	Strong
Bennett	Drinkard	Langford	Teague
Bishop	Ellis	Little	

—33

**JOURNAL**

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Seventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

**COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Seventh Legislative Day was approved by the Senate.

**LEAVE OF ABSENCE**

On motion of Senator deGraffenried, leave of absence was granted Senator Dial for today.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 40. MOURNING THE DEATH OF JOHN R. SPARKS OF CULLMAN COUNTY, ALABAMA.

Also:

H. J. R. 42. COMMENDING CULLMAN HIGH SCHOOL ON ITS OUTSTANDING 1985 FOOTBALL SEASON.

Also:

H. J. R. 44. CONGRATULATING HANCEVILLE HIGH SCHOOL, 1985 4A AREA 13 FOOTBALL CHAMPIONS.

Also:

H. J. R. 46. COMMENDING WILLIAM HUGH SHELTON OF CULLMAN, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

H. J. R. 48. COMMENDING DR. IRA L. MYERS FOR DISTINGUISHED SERVICE TO THE STATE OF ALABAMA.

Also:

H. J. R. 50. COMMENDING THE VINEMONT HIGH SCHOOL EAGLES ON THEIR OUTSTANDING 1985 FOOTBALL SEASON.

Also:

H. J. R. 52. COMMENDING THE GOOD HOPE HIGH SCHOOL VOLLEYBALL "A" TEAM.

Also:

H. J. R. 54. COMMENDING WEST POINT HIGH SCHOOL ON ITS OUTSTANDING 1985 FOOTBALL SEASON.

Also:

H. J. R. 66. COMMENDING BOBBYE M. BONHAM FOR HER LONG AND ABLE SERVICE IN THE FIELD OF PUBLIC EDUCATION AND WISHING HER A HAPPY RETIREMENT.

Also:

H. J. R. 68. COMMENDING WILLIAM C. MORRIS OF MOBILE, RENOWNED ARTIST AND COMMUNITY LEADER.

Also:

H. J. R. 69. COMMENDING MARGARET SOLBERGER OF MOBILE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Also:

H. J. R. 70. COMMENDING KATHRYN TUCKER WINDHAM OF SELMA, ALABAMA, RECIPIENT OF THE 1985 "LIVING FOR AMERICA" AWARD.

Also:

H. J. R. 71. COMMENDING THE EDGEWOOD JUNIOR GARDENERS OF EDGEWOOD ELEMENTARY SCHOOL, SELMA, ALABAMA.

Also:

H. J. R. 72. COMMENDING THE SAND ROCK HIGH SCHOOL WILDCATS, STATE 1A FOOTBALL CHAMPIONS FOR 1985.

Also:

H. J. R. 73. CONGRATULATING BARRY S. COCHRAN, EXECUTIVE DIRECTOR OF BAPTIST MEDICAL CENTER CHEROKEE.

Also:

H. J. R. 81. COMMENDING CAROLYN VEASY OF GADSDEN, ALABAMA, MISS ALABAMA STATE UNIVERSITY 1984-85.

Also:

H. J. R. 82. HONORING MAURICE DEAN OF GADSDEN, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

H. J. R. 83. COMMENDING CLARENCE W. DAUGETTE OF GADSDEN, ALABAMA, AS ETOWAH COUNTY'S PATRIOT OF THE YEAR.

Also:

H. J. R. 85. HONORING SELMA, ALABAMA'S, DIAMOND, THE "GREAT AMERICAN DOG."

Also:

H. J. R. 86. COMMENDING GAIL OGLE OF SELMA, ALABAMA, FOR OUTSTANDING ATHLETIC ACCOMPLISHMENT.

Also:

H. J. R. 87. WISHING OUR FRIEND AND COLLEAGUE, REPRESENTATIVE SONNY MOORE, A SPEEDY RECOVERY.

JOHN W. PEMBERTON,  
Clerk.

### **SIGNING OF RESOLUTIONS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 93. COMMENDING CHARLES G. MUNDEN OF MOBILE, ALABAMA, ENGINEER OF THE YEAR FOR PROFESSIONAL ENGINEERS IN PRIVATE PRACTICE.

Also:

H. J. R. 94. COMMENDING JOSEPH NIGOTA OF MOBILE, ALABAMA, 1985 UNIVERSITY OF SOUTH ALABAMA PROFESSOR OF THE YEAR.

JOHN W. PEMBERTON,  
Clerk.

### **SIGNING OF RESOLUTIONS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

### **REPORT OF COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolution with the original Senate Joint Resolution, and finds same correctly enrolled, to-wit:

S. J. R. 70. WELCOMING THE USS ALABAMA AND ITS CREWS TO THE PORT OF MOBILE AND THE STATE OF ALABAMA.

CHARLES BISHOP,  
Chairperson.

### **SIGNING OF RESOLUTIONS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution, the title of which is set out in the foregoing report from the Committee on Rules.

### **INTRODUCTION OF BILLS**

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senators Denton, Amari, Goodwin, and Bennett:

S. 396. To require that all facilities providing abortions to provide persons seeking abortions with information on alternatives to abortion, to include the names and addresses of licensed maternity homes for unwed mothers, and to require the revocation of the facility's license to operate for failure to provide the required information.

Committee on Health and Welfare.



By Senator Denton:

S. 397. To provide that persons rendering aid in hazardous materials accidents shall be exempt from civil liability when rendering such aid.

Committee on Judiciary.

By Senator Drinkard:

S. 398. To provide for the licensing by the Department of Revenue of salvage pools or businesses which sell or dispose of wrecked or damaged motor vehicles; to provide for the payment and distribution of fees; and to provide for penalties for violations.

Committee on Small Business.

By Senators Drinkard, Dixon, Ellis, and Teague:

S. 399. To amend Section 36-21-2, Code of Alabama 1975, which provides for subsistence allowances for certain law enforcement officers, so as to provide a subsistence allowance for Correctional Officers I in the Alabama Department of Corrections.

Committee on Governmental Affairs.

By Senator Amari:

S. 400. To amend Section 14-8-37 of the Code of Alabama so as to increase to 50 percent the amount that the county or its designated agent may withhold from a county work release inmate's earnings incident to his confinement.

Committee on Governmental Affairs.

By Senator Amari:

S. 401. To amend Section 14-8-6 of the Code of Alabama, 1975 so as to increase to 50 percent the amount that the department of corrections may withhold from a state work release inmate's earnings incident to his confinement.

Committee on Governmental Affairs.

By Senator Parsons:

S. 402. Relating to consumer affairs, so as to require that information provided by certain insurance companies regarding contractual agreements are accurate, to provide for enforcement of such provisions and to provide certain remedies.

Committee on Consumer Affairs.

By Senator Parsons:

S. 403. To permit the Commissioner of Insurance to levy a civil penalty of not more than \$10,000.00 for violations of the Insurance Code following an administrative hearing.

Committee on Banking and Insurance.

By Senator Parsons:

S. 404. To provide for the licensing of motor vehicles defined as "street rods"; defining said automobiles; to exempt such motor vehicles from all ad

valorem taxes; to levy a fee and provide for the disposition of funds, and manner of registration, design, renewal and replacement of license plates; to prescribe the duties and powers of the commissioner of revenue and the sheriffs of the counties; and to provide an effective date.

Committee on Commerce,  
Transportation, and Utilities.

By Senator Bennett:

S. 405. To provide that support shall be ordered paid directly to the Department of Pensions and Security or its designee in cases which come within the requirements of Title IV-D of the Social Security Act, as amended; provides for the distribution of monies collected; provides for notice to the court of the location and address where monies shall be received; provides for contracting with a designated party; provides that the record of collections shall constitute the official payment record, and shall be prima facie evidence of the payment made by the obligor.

Committee on Governmental Affairs.

By Senators Bennett, Amari, Cooley, and Bedford:

S. 406. To amend Section 36-25-27, Code of Alabama, 1975, which prescribes penalties for violations of the State Ethics law, so as to establish the minimum possible penalty for violating the law at two years imprisonment or a minimum fine of \$2,001 or both and permit imposition of civil penalties.

Committee on Judiciary.

By Senators Goodwin, Denton, Hilliard, Bennett, Drinkard, Cooley, Holmes, Foshee, Menton, Horn, Parsons, Covington, Figures, Smith (B), Langford, Strong, Sanders, Teague, Aldridge, and Amari:

S. 407. To amend Section 25-4-72 of the Code of Alabama (The Alabama Unemployment Compensation Law) as last amended, to provide an increase in weekly benefit amount to \$140.00 effective for weeks of unemployment beginning on and after the first Sunday in July, 1986.

Committee on Business and  
Labor Relations.

By Senators Goodwin, Denton, Hilliard, Bennett, Little, Drinkard, Foshee, Menton, Bishop, deGraffenried, Horn, Dixon, Teague, Parsons, Covington, Ellis, Figures, Smith (B), Langford, Strong, Sanders, Aldridge, Cabaniss, Amari, and Hand:

S. 408. To repeal § 3-2-20, § 3-2-21, § 3-5-4, and § 3-5-5 Code of Alabama 1975, to assimilate these sections into a new section and increase the fees for taking up livestock or animals upon the public lands, highways, streets, or roads in Alabama.

Committee on Agriculture,  
Conservation, and Forestry.

By Senators Dixon, Foshee, Holmes, Drinkard, Bedsole, Covington, Cooley, Cabaniss, Ellis, Hand, and Bennett:

S. 409. To amend Section 31-5-3, Code of Alabama 1975, which provides for the state board of veterans' affairs, so as to include the American Ex-Prisoners of War, Incorporated, on such board.

Committee on Military Affairs.

By Senator Langford:

S. 410. To provide clerks and registers of the circuit courts and clerks of the district courts with immunity from liability for any action taken in conformity with certain written orders and from liability for the wrongful acts of their deputies in limited instances, and to provide that good faith immunity shall be available to all clerks and registers for any wrongful act or omission done under color of office.

Committee on Judiciary.

By Senator Langford:

S. 411. Relating to deputy circuit clerks; to repeal Section 17-2-8, Code of Alabama 1975, which provides for the election of deputy circuit clerks in counties having more than 5 circuit judges; and repealing Section 12-17-99, Code of Alabama 1975, which relates to the supplemental salary of elected deputy circuit clerks.

Committee on Judiciary.

By Senator Little:

S. 412. To amend Section 15-18-74 of the Code of Alabama 1975, relating to restitution to victims of crimes so as to provide further that when an offender has completed the term of imprisonment, the department of corrections shall inform said offender of the amount of restitution owed and when payments shall commence to the circuit clerk until restitution is paid in full.

Committee on Judiciary.

By Senator Corbett:

S. 413. To establish a statewide grievance procedure for certain educational personnel, providing for hearings, appeals, procedures, and due process.

Committee on Education.

By Senators Corbett, Hilliard, Smith (B), Langford, Horn, Bailey, Smith (J), and Teague:

S. 414. To provide a five percent cost-of-living pay increase for certain public education employees during the 1986-87 fiscal year; to provide a cost-of-living pay increase for certain retired educational employees and to appropriate additional funds therefor; and to prescribe a manner for payment. All provisions of this act to be effective for the state fiscal year beginning October 1, 1986, from funds allocated.

Committee on Finance and Taxation.

By Senators Foshee and Covington:

S. 415. To exempt all rescue squads and all volunteer fire departments from the payment of all state, county and municipal sales and use taxes.

Committee on Finance and Taxation.

By Senator Figures:

S. 416. To amend §§36-27A-5, 36-27A-1, and 36-27A-3, Code of Alabama 1975, so as to allow elected officials of the State of Alabama, or a

political subdivision thereof, to participate in the Public Employees' Individual Retirement Account Fund and to provide for additional non-deductible contributions.

Committee on Finance and Taxation.

By Senators Bedsole, Bailey, and Menton:

S. 417. To establish an official state nongame wildlife print or wildlife stamp; provides for funding of the program establishing the print or stamp; and provides that the program shall be administered by the Department of Conservation and Natural Resources.

Committee on Agriculture,  
Conservation, and Forestry.

By Senators Menton, Cooley, and Holmes:

S. 418. To create the crime of theft by fraudulent leasing or rental of property from a person licensed to lease personal property where the lessee gives a false or fictitious name or address, or where the lessee fails to return the leased property to the place or within the time specified in the rental agreement; to provide for making a demand on the lessee to return the leased property within a specified time, and to provide that a failure to return the leased property within the specified time, after demand, shall constitute prima facie evidence that the leasing or rental of the property was fraudulent, and that lessee intended, knew or expected that he would not perform the terms of the rental agreement at the time it was made; and to provide that the fraudulent leasing or rental of property having a value of \$100.00 or less shall be a Class A misdemeanor, and if property has a value of \$100.00 or more, the fraudulent leasing or rental shall be a Class C felony.

Committee on Judiciary.

By Senators Menton, Holmes, Bennett, Denton, Parsons, and Smith (J):

S. 419. To provide that appeals from death sentence cases and from post conviction writs involving such cases shall be to the Alabama supreme court instead of to the Alabama court of criminal appeals; to amend Code of Alabama 1975, §12-3-9 and §13A-5-53 accordingly; to provide that the Alabama supreme court shall amend the Alabama Rules of Appellate Procedure to accommodate and reflect the provisions of this act; to provide which cases this act applies to; to provide for the repeal of conflicting laws and the scope of that repeal; to provide for severability; and to provide an effective date.

Committee on Judiciary.

By Senator Cooley:

S. 420. To amend Code of Alabama 1975, Section 7-9-407, so as to conform to the Federal Food Security Act of 1985, by adding new subsections (3), (4), (5) and (6); to enable and require the Secretary of State to develop and implement a central indexing system, a list of buyers of farm products, commission merchants and selling agents; to provide for a distribution of such listing; and to require oral confirmation of the filing of the form prescribed in Section 7-9-307(4).

Committee on Judiciary.

By Senator Teague:

S. 421. To provide for minimum training standards for all law enforcement officers to operate radar speed measuring devices.

Committee on Commerce,  
Transportation, and Utilities.

By Senator Teague:

S. 422. To define and prohibit the operation of all-terrain vehicles on roadways in Alabama.

Committee on Commerce,  
Transportation, and Utilities.

By Senators Sanders and Figures:

S. 423. To amend Sections 15-23-3, 15-23-4, 15-23-5, 15-23-14, and 15-23-17, of the Code of Alabama, 1975, which relate to the Alabama Crime Victims Compensation Commission so as to provide for a new definition of the terms "criminally injurious conduct", "victim" and "collateral source"; to provide that the required regular monthly meetings of the commission be on Thursday; to provide that governmental agencies provide statistical data to the commission; to provide that the commission may initiate litigation to protect its subrogation rights and to fulfill its duties and responsibilities; to provide the commission with access to law enforcement reports; to provide that those reports be privileged; to provide that the commission be subrogated to the rights of the victim when compensation is awarded; to provide that the commission be exempt from the payment of fees for recording restitution orders; to provide that the employees of the commission be under the Merit System Act; and to provide that victim compensation assessment fees be ordered in all felony cases.

Committee on Judiciary.

By Senator Sanders (With Notice and Proof):

S. 424. Relating to Lowndes County; providing for a chief clerk and clerk for the probate judge; and prescribing the duties and setting the salaries for such clerks; providing for the hiring of a part-time clerk; repealing Act No. 119, H. 115, of the 1978 Special Session (Acts 1978, p. 1835), Act No. 316, H. 719, of the 1939 Regular Session (Acts 1939, p. 205) and Act No. 40, H. 215 of the 1951 Regular Session (Acts 1951, p. 248).

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 424, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Teague:

S. 425. Appropriating a certain amount of money during the 1985-86 fiscal year from the state general fund to the National Guard Association of Alabama for the establishment of an Alabama National Guard Museum in a certain location.

Committee on Military Affairs.

By Senator Foshee:

S. 426. To repeal Sections 40-17-130, 40-17-131, 40-17-132, and 40-17-133, Code of Alabama 1975, as amended, which sections relate to reduction of rate of taxation on gasohol.

Committee on Buildings and Grounds.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 34. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Alexander City, in Tallapoosa County.

Also:

H. 201. Relating to Limestone County; to provide further for the duties of the Probate Judge so as to allow the Probate Judge of Limestone County, Alabama, to have one general index book relative to transactions in the Probate Office of Limestone County and making the provisions retroactive to January 1, 1974.

Also:

H. 239. Relating to Fayette County; providing for an additional expense allowance for the county coroner.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 80. COMMENDING BLOUNT COUNTY SHERIFF J. C. CARR ON HIS DISTINGUISHED LAW ENFORCEMENT CAREER.

Also:

S. J. R. 81. DIRECTING THE DESIGNATION OF CERTAIN PROPERTIES OWNED BY THE STATE OF ALABAMA AS A WILDLIFE REFUGE AND THAT SAID PROPERTIES BE CEDED OVER TO GUNTERVILLE PARK FOR ADMINISTRATION AND PROTECTION.

Also:

S. J. R. 82. COMMENDING JUDGE ALTON M. BLANTON FOR MERITORIOUS SERVICE TO THE STATE OF ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. McNair (With Notice and Proof):

H. 403. To alter and rearrange the boundaries of the City of Birmingham to include within the corporate limits thereof all territory now within such corporate limits thereof and the territory lying within the corporate limits of the City of Roosevelt City including certain territory described by metes and bounds subject to approval of a majority of electors residing in said territory in an election provided for in the act, to provide for the transfer of assets, debts, existing contracts and employees of the City of Roosevelt City to the City of Birmingham as provided in Section 11-42-106, Code of Alabama 1975, should such annexation be approved, to repeal all laws or parts of laws in conflict herewith to the extent of such conflict, to make the provisions of the act severable, and to provide the effective date of the act.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 403, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 403—to the Committee on Local Legislation No. 2

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Rep. Richardson (With Notice and Proof):

H. 248. Relating to selling and redeeming lands for taxes in Jackson County, Alabama.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 248, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 248—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Onderdonk (With Notice and Proof):

H. 158. To authorize and empower the governing body of Washington County, Alabama, to levy and collect special county privilege and license taxes and excise taxes paralleling the state sales and use taxes provided for in Chapter 23 of Title 40 of the Code of Alabama 1975; to specify the rates at which such taxes may be levied; to provide for the ascertainment, collection, payment, distribution and use of the proceeds from such taxes as may be levied by the said governing body; to provide for the enforcement of this act by the state department of revenue and to provide for an advisory referendum election to determine whether the qualified electors of said county approve or disapprove of the provisions of this act.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 158, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Onderdonk (With Notice and Proof):

H. 264. Relating to Washington County; amending Act No. 39, H. 185, 1965 Regular Session, (Acts 1965, p. 57), which provides for the compensation of the members of the board of registrars, so as to provide further for said compensation.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 264, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.



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Also:

By Reps. Trammell and Boles (With Notice and Proof):

H. 89. Relating to Jefferson County; prohibiting private ownership and operation of landfills for garbage dump purposes in the county.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 89, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Kvalheim, Gaston, Turner, Harper, Zoghby, Kennedy, and Box (With Notice and Proof):

H. 295. Relating to Mobile County; providing for a singular appropriation, in addition to any and all other appropriations, to the Azalea Trail Festival, Inc., from funds received by the county for the City of Mobile, for the fiscal year ending September 30, 1986, from the additional state sales tax levied on alcoholic beverages by Sections 28-3-280 and 28-3-281, Code of Alabama 1975.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 295, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Gaston, Kvalheim, Box, Buskey (James), Zoghby, and Turner (With Notice and Proof):

H. 267. Relating to the City of Mobile; to provide for the disclosure of campaign contributions for candidates of city government.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 267, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Gray, Escott, Davis, Pratt, and Spratt (With Notice and Proof):

H. 212. Relating to Class I municipalities; providing for minimum monthly benefits to certain retired persons or beneficiaries of employees who participate in a retirement system pursuant to Act No. 929, S. 676, 1951 Regular Session (Acts 1951, p. 1579).

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 212, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 158 and 264—to the Committee on Local Legislation No. 1

H. B.'s 89 and 212—to the Committee on Local Legislation No. 2

H. B.'s 295 and 267—to the Committee on Local Legislation No. 3

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Carter, Butler, and Clark (D):

H. J. R. 162. URGING THE CITY OF DECATUR TO RESCIND THE RESOLUTIONS OF THE PROPOSED ANNEXATION OF PROPERTY IN LIMESTONE COUNTY.

Also:

By Reps. Marietta, Turner, Box, Kennedy, Buskey (James), Zoghby, Clark (W), Gaston, Harper, Kvalheim, McMillan, and Penry:

H. J. R. 163. MOURNING THE DEATH OF CHARLES CORBETT WIMBERLY OF MOBILE, ALABAMA.

Also:

By Reps. Buskey (James), Clark (W), Kennedy, Turner, Zoghby, Marietta, Harper, and Gaston:

H. J. R. 164. COMMENDING JROTC CADET EARL A. ADAMS, OF WILLIAMSON HIGH SCHOOL IN MOBILE, FOR OUTSTANDING HEROISM.

Also:

By Reps. Rains and Coleman:

H. J. R. 165. CONGRATULATING MR. AND MRS. WILLIAM CHESTER BOGGS ON THE OCCASION OF THEIR 60TH WEDDING ANNIVERSARY.

Also:

By Reps. Rains and Coleman:

H. J. R. 166. CONGRATULATING MR. AND MRS. WILLIAM CLARENCE PENLAND ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

By Rep. Johnson (RG):

H. J. R. 167. COMMENDING JOSEPH B. MORTON, SYLACAUGA, ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolution, H. J. R. 162, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

On motion of Senator deGraffenried, the Rules were suspended and the Resolutions, H. J. R.'s 163, 164, 165, 166, and 167, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Turner, Marietta, Zoghby, Clark (W), Gaston, Kvalheim, Box, Buskey (James), Harper, and Kennedy:

H. J. R. 143. AMENDMENT NO. 408 TO THE CONSTITUTION IN 1982.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it was the intent of the Legislature in passing Amendment No. 408 to the Constitution in 1982 that the House of Representatives have one appointment to the Mobile County Judicial Commission and the Senate have one appointment to the Mobile County Judicial Commission.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolution, H. J. R. 143, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Bowling, Adams, Albright, Bachus, Beasley, Beers, Biddle, Black, Blake, Blakeney, Boles, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Johnson (RG), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Newton, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L), and Zoghby:

H. J. R. 150. NAMING THE CLASSROOM AND PHYSICAL EDUCATION FACILITY UNDER CONSTRUCTION AT WALLACE STATE

## COMMUNITY COLLEGE, HANCEVILLE, "THE TOM DRAKE COMPLEX."

Also:

By Reps. Payne, Boles, Adams, Albright, Bachus, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Drake, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Johnson (RG), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Newton, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L), and Zoghby:

H. J. R. 151. MOURNING THE DEATH OF LEON BROOKS HINES OF BREWTON, ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

On motion of Senator deGraffenried, the Rules were suspended and the Resolutions, H. J. R.'s 150 and 151, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Spratt, Holley, Davis, Rice, Venable, Adams, Beasley, Blake, Bowling, Britnell, Browder, Bryant, Buskey (JE), Clark (D), Coburn, Cosby, Crow, Drake, Flowers, Grouby, Hall, Harvey, Hettinger, Hooper, Kennedy, Laird, Lauderdale, Lindsey, Martin, Mikell, Nicholson, Onderdonk, Poole, Preuitt, Richardson, Sasser, and Smith:

H. J. R. 145. COMMENDING R. C. "RED" BAMBERG FOR HIS SERVICE ON THE BOARD OF DIRECTORS OF THE ALABAMA AGRICULTURAL DEVELOPMENT AUTHORITY.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

On motion of Senator deGraffenried, the Rules were suspended and the Resolution, H. J. R. 145, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Davis and Marietta:

H. J. R. 146. HONORING THE UNITED METHODIST WOMEN'S ORGANIZATION AND PROCLAIMING APRIL 5, 1986 AS UNITED METHODIST WOMEN CENTENNIAL DAY IN ALABAMA.

Also:

By Rep. White (F):

H. J. R. 147. COMMENDING THE J. D. JAZZ GROUP AT JEFFERSON DAVIS STATE JUNIOR COLLEGE.

Also:

By Reps. Bugg and Junkins:

H. J. R. 148. MOURNING THE DEATH OF FRANK DRAIN OF GADSDEN, ALABAMA.

Also:

By Rep. White (L):

H. J. R. 149. COMMENDING BETTY CAROL GRAHAM, AS AEA VICE PRESIDENT-PRESIDENT ELECT.

Also:

By Rep. Junkins:

H. J. R. 152. COMMENDING COMMISSIONER FRED SMITH, THE ALABAMA DEPARTMENT OF CORRECTIONS AND ITS CORRECTIONAL INDUSTRIES DIVISION AND THOSE INMATES ASSISTING IN THE RENOVATION OF AND MOVE INTO THE "STATE HOUSE."

Also:

By Rep. Junkins:

H. J. R. 153. CONGRATULATING MR. AND MRS. E. K. BOWERS ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

By Reps. Richardson and Hall:

H. J. R. 154. COMMENDING THE SCOTTSBORO HIGH SCHOOL CHEERLEADERS FOR OUTSTANDING ACCOMPLISHMENT.

Also:

By Reps. Mikell, McKee, and Starr:

H. J. R. 156. CONGRATULATING MR. AND MRS. PERRY O. HOOPER, JR., ON THE BIRTH OF THEIR SON, THOMAS CLEMENT.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator deGraffenried, the Rules were suspended and the Resolutions, H. J. R.'s 146, 147, 148, 149, 152, 153, 154, and 156, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. White (F) and Warren:

H. J. R. 138. NAMING THE NEW PUBLIC FISHING LAKE IN CONECUH NATIONAL FOREST, ESCAMBIA COUNTY, ALABAMA, THE "LEON BROOKS HINES LAKE."

Also:

By Rep. Rains:

H. J. R. 139. COMMENDING EARL M. ALBRITTON FOR DISTINGUISHED MILITARY SERVICE DURING WORLD WAR II.

Also:

By Reps. Crow, Adams, Albright, Bachus, Beasley, Beers, Biddle, Black, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Davis, Drake, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Johnson (RG), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Newton, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L), and Zoghby:

H. J. R. 142. CONGRATULATING MR. AND MRS. A. J. BLAKE ON THE OCCASION OF THEIR 40TH WEDDING ANNIVERSARY.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator deGraffenried, the Rules were suspended and the Resolutions, H. J. R.'s 138, 139, and 142, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

**REPORTS OF COMMITTEES**

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the

following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Smith (J):

S. 151. To amend Section 36-30-2 of the Code of Alabama 1975, relating to compensation for death of peace officers, firemen and volunteer firemen, so as to provide further for compensation for certain disabled volunteer firemen and to provide for retroactive effect to November 1, 1983.

By Senators Bailey, Denton, Smith (J), and Bishop:

S. 344. To amend Section 2 of Act No. 85-124 which made certain appropriations from the general fund, so that the balance of the appropriation made to the Children's Trust Fund shall not revert at the end of the fiscal year.

By Senator Bennett:

S. 205. To amend Section 40-9-19, Code of Alabama, 1975, as previously amended, so as to define the types of local school taxes subject to the homestead exemption; and to provide an effective date for the Act.

By Senators Hand, Foshee, Bedford, Menton, Ellis, Parsons, Bedsole, Dixon, Dial, Holmes, Strong, and Denton:

S. 75. To amend Section 16-13-58, Code of Alabama 1975, which provides for the State Board of Education to determine the amount of funds needed by each county and city from the Minimum Program Fund, so as to provide that the full cost of the Minimum Program be paid.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Bedsole:

S. 20. To regulate certain activities relating to possession of and transactions in drug paraphernalia; to define certain terms relating to such paraphernalia; to make it unlawful to engage in certain activities relating to such paraphernalia; to prescribe criminal penalties for such unlawful acts; to prescribe forfeiture for contraband; and to repeal and supersede those provisions of Chapter 2, Title 20 of the Code of Alabama which heretofore regulated "drug related objects."

By Senators Dixon, Mitchem, Bedsole, Holmes, Goodwin, Langford, Foshee, Barron, Bennett, and Cabaniss:

S. 369. To amend Section 34-9-18 Code of Alabama, 1975, to provide that complaints before the Board of Dental Examiners and testimony with respect thereto are absolutely privileged and to grant immunity from suit to the Board of Dental Examiners.

By Senator Hilliard:

S. 253. To amend Section 14-9-41 of the Code of Alabama 1975 so as to allow an inmate who has been sentenced to a term of less than 15 years in the state penitentiary to earn correctional incentive time in accordance with the other provisions of this section.

By Senator Hilliard:

S. 255. To provide that the governor of Alabama or his designee shall be empowered to allow the transfer of foreign nationals imprisoned in this state to the country of their citizenship subject to the terms of a valid treaty between the United States and that country.

By Senator Hilliard:

S. 271. To amend Section 12-21-73, Code of Alabama 1975, which provides for judicial notice of certain documents, so as to provide that the circuit court shall take judicial notice of all municipal ordinances in its judicial circuit in certain cities.

By Senator Hilliard (With Notice and Proof):

S. 283. Relating to Class I Municipalities, to provide that the courts of this state shall take judicial notice of all municipal ordinances of such municipalities.

By Senator Langford:

S. 40. To amend Section 12-15-34, Code of Alabama 1975, so as to provide that a child 14 or more years of age may be transferred by the juvenile court for criminal prosecution as an adult for any crime; to provide that the finding of probable cause at the transfer hearing in the juvenile court shall preclude a further probable cause hearing in the criminal court; to provide that the criminal court may exercise any authority over the child, once transferred, that is otherwise applicable to adult offenders; to provide that transfer to the criminal court and conviction therein terminates jurisdiction of the juvenile court over such child with respect to any pending or subsequent criminal acts; to amend the definition of "delinquent act" found in Section 12-15-1 so as to exclude criminal acts committed by a child who has previously been transferred for criminal prosecution and convicted as provided in Section 12-15-34; to amend Section 12-15-33 so as to preclude the possibility of transfer to the juvenile court of a criminal case against a child who has been previously transferred for criminal prosecution and convicted as provided in Section 12-15-34; and, to provide an effective date.

By Senator Smith (J):

S. 97. To amend Section 13A-10-30, which defines certain terms in the criminal code, so as to further define the term "escape"; provides that escape while on work release shall constitute a felony; and repeals Sections 14-8-42 and 14-8-67, Code of Alabama 1975.

By Senator Smith (J):

S. 98. To amend Section 22-50-22, Code of Alabama 1975, which exempts the superintendent of, or a physician of, the mental health board from being a witness in certain cases, so as to permit depositions to be taken by the plaintiffs, defendants or the state or the superintendent or any physician of a state mental health facility or hospital in criminal and civil proceedings, upon proper notice.

By Senator Smith (J):

S. 150. To provide that a convicted felon shall serve his sentence in a state penal facility unless the sentencing judge directs that such sentence is to be served in a county jail; to provide for certain conditions and requirements



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in the event a convicted felon or state inmate shall be assigned to a county jail to serve a portion of a sentence; and to provide for exceptions.

By Senator Parsons:

S. 313. To amend Section 13A-6-21 of the Code of Alabama 1975, relating to assault in the second degree, so as to provide further for the elements of such criminal offense.

By Senator Ellis:

S. 336. To amend section 12-17-213, Code of Alabama 1975, which section relates to minimum service time required to qualify for supernumerary district attorney status, so as to provide further for the said minimum service time requirements.

By Senator Covington:

S. 304. To amend Sections 36-20-3 and 36-20-31 of the Code of Alabama 1975, which sections relate to surety bond requirements for county and state at large notaries public, respectively, so as to increase the dollar amount of such bonds.

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator deGraffenried:

S. 82. To amend section 17-4-156 of the Code of Alabama 1975 relating to meeting days of the boards of registrars and working days of registrars so as to clarify certain provisions thereof by conforming certain language to that of the act from which it was originally codified and by restructuring the form of such section.

By Senator Dixon:

S. 230. To amend Sections 16-25-14 and 36-27-16, Code of Alabama 1975, to provide that upon the death of a member of the teachers' or employees' retirement systems who is eligible for a service retirement allowance, but has opted to continue in active service, such member's surviving spouse shall receive an allowance in an amount that would have been payable if the member had retired immediately prior to death under option 2, thus this change will allow such spouse to receive a greater allowance than would be provided under option 3 as the law currently provides in such situations.

By Senators Strong, Corbett, Langford, and Teague:

S. 184. To require the Department of Pensions and Security to charge a \$1,000.00 (One Thousand Dollar) fee to be assessed as costs against the parties for investigation services performed in any cases involving adoption. This fee shall not apply to investigation services for cases in which a child was placed for adoption by the Department of Pensions and Security.

By Senator Covington:

S. 260. To further amend Section 1-3-8, Code of Alabama 1975, relating to state holidays, so as to alter certain observances.

By Senator Bedford:

S. 269. To authorize any county commission to establish the office of supernumerary county commissioner; to prescribe the qualifications and the duties of such officer; to provide notice to the public for the intention thereof; and to prescribe the benefits of such officer.

By Senators Dixon and Langford:

S. 299. To amend Section 17-5-12 of the Code of Alabama 1975, relating to places of voting so as to provide that the county commission may designate a place of holding elections other than the courthouse in the precinct in which the courthouse is situated.

By Senators Mitchem and Bedford:

S. 73. To amend Section 17-4-153, Code of Alabama 1975, relating to expense allowances for registrars, so as to provide for an increase.

By Senator Bedsole:

S. 295. To amend Sections 17-10-5 and 17-10-14, Code of Alabama 1975, which provide for the procedure of absentee voting, so as to provide further for the retention of the voting lists by the clerk or register and the compensation of the absentee election manager.

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Amari (With Substitute):

S. 338. To create a State Publications Depository Program for maximum availability and distribution of state publications to the public; to establish the Alabama Publication Clearinghouse, as a division of the Alabama Public Library Service, and to provide for its operations, duties and authority; to authorize the Alabama Public Library Service to make and implement reasonable rules and regulations; to establish the Advisory Council for the State Publications Depository Program and to provide for the membership, terms, duties, qualifications and powers; to define the duties and powers of the Alabama Department of Archives and History relative to the depository program for state publications and the distribution of microform products; to require each state agency to designate a publications officer from among its staff and to notify the said Clearinghouse of the designee, and to provide certain state documents and related information; to provide for the criteria and eligibility of depositories, including the United States government depository libraries; to provide that funding be from appropriations made to the use of the Alabama Public Library Service; to provide for the said service to make reimbursement of certain reasonable costs of producing microforms by the Department of Archives and History; to repeal sections 41-13-20 and 41-13-21, Code of Alabama 1975, as amended, which established the State Records Commission and duties and conflicting laws.

Senator Corbett, Chairperson of the Standing Committee on Business and Labor Relations, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

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By Senators Cooley, Bennett, Corbett, Sanders, Horn, Parsons, Langford, Teague, and Bishop (With Substitute):

S. 257. To amend Section 25-4-72, Code of Alabama, 1975, so as to increase the individual weekly benefit amount of unemployment compensation.

Senator Denton, Chairperson of the Standing Committee on Commerce, Transportation, and Utilities, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Corbett:

S. 222. To amend Sections 32-6-271, 32-6-272 and 32-6-274, Code of Alabama 1975, which provide for distinctive license plates for fire fighters, so as to provide further for said license plates.

By Senators Menton and Denton:

S. 218. To provide that any State commander of a veterans organization shall be entitled to a distinctive auto license plate; to provide for the distribution of said tag; and to provide that said tag shall be issued free of all fees and taxes.

By Senator Hilliard:

S. 263. Authorizing the regulation by municipalities or other local governing authorities of private for-hire vehicles, however propelled, providing passenger transportation services and providing that municipalities or other local governing authorities and any officers or members of such shall not be subject to liability under the federal antitrust laws.

By Senator Denton:

S. 276. To amend Section 40-12-198 of the Code of Alabama 1975, as amended, relating to the marking of vehicles operated by private and for-hire carriers.

By Senator Covington:

S. 207. To amend § 40-21-58 of the Code of Alabama to further define the term telephone business.

By Senator Covington:

S. 358. To amend Section 40-21-60, Code of Alabama 1975, which relates to licensing of express companies so as to further define the term express company.

Senator Parsons, Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Horn (With Notice and Proof):

S. 326. To amend Section 4.04 of Act No. 452, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955,

page 1004), as amended, providing a mayor-council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census, to provide the method for determining the annual salary to be paid to the mayor of such city.

By Senator Horn (With Notice and Proof):

S. 328. To amend Article III, Section 9 of Act No. 1272 of the Regular Session of the Legislature of Alabama of 1973, as amended by Act No. 791 of the Regular Session of the Legislature of Alabama of 1975, said section relating to investment of the fund established for a retirement and relief system for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census as established originally by Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, as amended, said Article III, Section 9 to be amended in full to provide that the Board of Managers of any such fund shall also have authority to approve investments of the fund after their making by the designee of the Board, to provide that investments of the fund in bonds and stocks of private corporations shall not exceed seventy-five percent of the funds available for investment, and, to provide that investments in stocks of private corporations shall not exceed fifty percent of the funds available for investment.

By Senator Horn (With Notice and Proof):

S. 329. To amend Article VII of Act No. 1272, H. 620, 1973 Regular Session (Acts 1973, p. 2124), relating to the Board of Managers of the City of Birmingham Retirement and Relief System so as to provide that participant's loans shall be repaid in a period of forty-eight (48) months or less from the date of such loan and to provide that interest be charged on such loans in such amount as may be determined in the discretion of the Board, but not less than seven (7) percent per annum.

By Senator Horn (With Notice and Proof):

S. 330. To amend Article VI of Act No. 1272, H. 620, 1973 Regular Session of the Legislature of Alabama (Acts 1973, p. 2124), as amended, said act being an amendment of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, (1951 Acts of Alabama, page 1579, et seq.), to provide for lump-sum payment of certain small benefits.

By Senator Horn (With Notice and Proof):

S. 331. To amend Act No. 929, 1951 Regular Session (General Acts of 1951, p. 1579), as amended by Act No. 1272, 1973 Regular Session (Acts 1973, p. 2124), and as previously and subsequently amended, which created a retirement system for officers and employees in cities of two hundred thousand or more inhabitants according to the latest federal decennial census, so as to provide further for the payments of benefits during periods of re-employment.

By Senator Hilliard:

S. 155. To authorize municipalities having a population of more than 250,000 in said county according to the last federal decennial census, in the discretion of its governing body, upon the purchase of real property situated in Jefferson County by the municipality for park or other public purposes, to indemnify the seller of such property with respect to liability which might thereafter arise on account of underground mining operations conducted on or under said property prior to the sale thereof to such municipality.

The above Bill was read a second time at length as required by the Constitution.

By Senator Hilliard (With Notice and Proof):

S. 285. To authorize the incorporation of a public corporation to be known as the Alabama Civil Rights Institute to be located permanently in any Class I municipality, based on population according to the last federal decennial census designated by the legislature of Alabama and the classes of municipalities created thereby pursuant to Section 110 of the Constitution of Alabama, as amended, including the City of Birmingham, Alabama, provided such be a Class I municipality at the time of the adoption hereof; to define its purposes; to provide a Board of Trustees of said institute composed of some trustees who serve ex officio, and who may appoint alternates to serve in their stead as provided in the act, and trustees appointed by certain public officials and to define the terms of all such trustees; to provide for suits by and against the institute in the corporate name; to provide that neither the state, the counties thereof nor any municipality therein, shall be liable for the debts or actions of the institute and that trustees thereof shall not be personally liable for actions of the institute or their actions as trustees, save to the institute itself; to provide for incorporation procedures and issuance of certificate of incorporation by the Secretary of State and the contents thereof; to provide for officers of the trustees, meetings thereof, and their compensation and reimbursement of expenses; to provide for the powers of the trustees including the power to acquire title to real and personal property or to lease the same, and to sell, lease or dispose of property surplus to its needs or to provide funds for carrying out its purposes; to provide to the institute such other powers as may be appropriate or necessary to carry out its purposes; to authorize the institute to solicit and accept donations of funds or property from private sources, to make such gifts and donations and all income and property of the institute tax exempt and deductible on state income tax returns, and to require trustees to comply with laws and regulations to make such deductible for federal income tax purposes; to authorize the state, its counties and municipalities therein to appropriate funds to the institute; to authorize the institute to contract and make cooperative agreements with federal, state and local governments and agencies thereof, and with private or public corporations, associations or individuals for any purpose of the institute; to authorize the institute to hire, or contract for, services of persons to perform certain tasks under such rules and regulations as the trustees may adopt; to require the institute to make annual reports to the Governor, the presiding officers of the legislature and other officials and persons; to make the provisions of the act severable; to repeal laws in conflict herewith; and to provide the effective date of the act.

By Senator Horn (With Notice and Proof):

S. 325. To provide authority to the governing body of Class I municipalities in Alabama and all municipalities in Alabama having a population of 250,000 or more according to the last and any subsequent federal decennial census to grant an expense allowance to its members for attending business of the city within the municipal corporate limits; to provide that the provisions hereof are severable; and to repeal all laws or parts of laws in conflict herewith.

By Senator Horn (With Notice and Proof):

S. 324. To amend further Act No. 929, S. 676, Regular Session 1951 (Acts 1951, p. 1579), as extensively amended by Act No. 1272, S. 620, Regular

Session 1973 (Acts 1973, p. 2124), and other amendatory acts, which relate to the establishment of a pension and relief or retirement and relief system for officers, employees, or their dependents, of any city having a population of 250,000 according to the 1970 or any subsequent federal decennial census, so as to provide further for new participants' credit for certain prior service.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that the following Bills have been placed on the Consent Calendar for today, to-wit:

By Senators Bedford, Little, Aldridge, Amari, and Cooley:

S. 72. To amend Rule 4(e), Alabama Rules of Civil Procedure, under authority of Section 6.11, Article VI, Constitution of Alabama of 1901, so as to provide further for service of process where service is refused or unclaimed.

By Senator Hilliard:

S. 254. To amend Section 12-3-27, Code of Alabama 1975, which provides for the appointment of law clerks by judges of the courts of appeals, so as to provide that the judges of the courts of criminal appeals may appoint an additional clerk.

By Senators Bennett and Amari:

S. 30. To provide that a court of this State may require an obligor to post bond, give security, or give some other guarantee to secure the payment of overdue support.

By Senators Bennett and Amari:

S. 32. To amend sections 38-10-2 through 38-10-9, Code of Alabama 1975, which provide for the Department of Pensions and Security to operate child support programs, so as to further comply with the requirements of Title IV-D of the Social Security Act; to provide for the enforcement of spousal support as incidental to the enforcement of child support as required by Title IV-D of the Social Security Act; to provide for the establishment and modification of support orders; to provide a definition of collection agent; to provide that the acceptance of aid shall be deemed an assignment to the Department of Pensions and Security of rights to support; to clarify that, in a case where there is a court order of support, the liability for the debt to the department created pursuant to such an assignment of support rights shall apply only with respect to the support payments owed for the period of time during which aid is granted; to provide for the collection and distribution of support; and to provide for the operation of a support program; and designation of the department as the agency to administer income withholding.

## RESOLUTIONS

Senators Bedsole, Aldridge, Amari, Bailey, Barron, Bedford, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Horn, Langford, Little, Menton, Mitchem, Parsons, Sanders, Smith (B), Smith (J), Strong and Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 97. WELCOMING THE HMS BATTLEAXE, USS BRISCOE, FGS HESSEN, HMCS OTTAWA AND THE HNEMS TROMP, AND

THEIR CREWS, TO THE PORT OF MOBILE AND THE STATE OF ALABAMA.

WHEREAS, the five ships representing NATO's Standing Naval Force Atlantic—the HMS Battleaxe, USS Briscoe, FGS Hessen, HMCS Ottawa and the HNEMS Tromp—are scheduled to arrive in the Port of Mobile on February 7, 1986; and

WHEREAS, NATO's only peacetime naval force, the fleet, known as the Stanavforlant Fleet, is commanded by Commodore A. B. Richardson of the Royal Navy and is manned by 1,250 sailors; and

WHEREAS, the five ships and their crews, which will remain in Mobile for a four-day visit, recently formed up and have been conducting military exercises off the East Coast; and

WHEREAS, the visit of NATO's Stanavforlant Fleet and its crew is indeed an occasion of great significance for the City of Mobile, the State of Alabama, and of all citizens thereof, and we most heartily welcome these vessels and personnel to our State; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That with great pleasure, we warmly welcome the NATO Stanavforlant Fleet to the State of Alabama and direct that a copy of this resolution be presented to Commodore A. B. Richardson of the Royal Navy during the force's visit in Mobile, Alabama.

On motion of Senator Bedsole, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Drinkard offered the following Senate Resolution, to-wit:

S. R. 98. COMMENDING AMANDA RUTH OWEN, ETOWAH COUNTY JUNIOR MISS.

Which was adopted.

Senator Denton offered the following Senate Resolution, to-wit:

S. R. 99. NOTING WITH COMMENDATION THE UNIVERSITY OF NORTH ALABAMA'S SPECIAL TRIBUTE CONCERT HONORING RODOLFO HALFETER.

Which was adopted.

### MOTION IN WRITING

Senator Little offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 223, on page 34 of the Eighth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 223, referred to the Standing Committee on Rules for placement on the Consent Calendar.

### RESOLUTIONS

Senator Little offered the following Senate Resolution, to-wit:

S. R. 100. COMMENDING C. H. MCGEHEE OF AUBURN, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Which was adopted.

Senator Little then offered the following Senate Joint Resolution, to-wit:

**S. J. R. 101. COMMENDING LARKIN H. WADE OF AUBURN, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.**

WHEREAS, it is with great pleasure that the Alabama Legislature congratulates Larkin H. Wade of Auburn, Alabama, recipient of the Alabama Cooperative Extension Service and Auburn Alumni Association "Award for Excellence"; and

WHEREAS, Mr. Wade, who heads Extension Natural Resources, Alabama Cooperative Extension Service, has played an instrumental role, in the past three years, in building a framework of cooperation and in increasing public and private resources allocated to Extension forestry educational programs; and

WHEREAS, his sincere interest in helping people help themselves has led them to become volunteers and contribute their own time and financial resources to helping others; and

WHEREAS, as a result of Mr. Wade's efforts and dedication to forestry, support from public and private individuals and agencies has totaled more than 1 million dollars in the last three years; and

WHEREAS, Larkin H. Wade indeed deserves the appreciation of the State of Alabama, and all citizens thereof, for his support and contributions to the Alabama Cooperative Extension Service and the forest industry of our State; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That we join the Alabama Cooperative Extension Service and Auburn Alumni Association in recognition of excellence on the part of Larkin H. Wade of Auburn, Alabama, and direct that he receive a copy of this resolution, executed in deep appreciation, admiration and esteem.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Smith (J), Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Hand, Hilliard, Holmes, Horn, Langford, Little, Menton, Mitchem, Parsons, Sanders, Smith (B), Strong and Teague offered the following Senate Resolution, to-wit:

**S. R. 102. WISHING OUR COLLEAGUE, SENATOR EARL GOODWIN A BELATED "HAPPY BIRTHDAY."**

Which was adopted.

Senator Smith (J) offered the following Senate Resolutions, to-wit:

**S. R. 103. COMMENDING ROGER D. NICHOLS OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING PROFESSIONAL ACHIEVEMENT AND SERVICE TO THE COMMUNITY.**



Also:

S. R. 104. COMMENDING TERRENCE L. MARTI OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Which were adopted.

Senator Bishop offered the following Senate Joint Resolution, to-wit:

S. J. R. 105. COMMENDING BURL HOLLIE "BOJACK" WARREN, JR. OF SUMITON, ALABAMA FOR EXTRAORDINARY COURAGE IN AID OF A LAW ENFORCEMENT OFFICER.

WHEREAS, the Alabama Legislature notes that Mr. Burl Hollie "Bojack" Warren, Jr., of Sumiton, Alabama, demonstrated outstanding courage and bravery while assisting a Sumiton police officer in the lawful apprehension of an armed and dangerous felon; and

WHEREAS, Mr. Warren came to the aid of said officer voluntarily and without regard to the apparent risk to his life and physical safety; and

WHEREAS, in the ensuing confrontation with the armed assailant Mr. Warren was critically wounded receiving two stab wounds in the side and chest, as well as several cuts, requiring extensive surgery; and

WHEREAS, though Mr. Warren has been released from the hospital, he yet faces an extended period of recuperation from his wounds; and

WHEREAS, we are grateful that Mr. Warren's life was providentially spared and are most grateful for his courageous presence in time of a fellow citizen's need and for Mr. Warren's heroic response to his call for help; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly praise and commend Mr. Burl Hollie "Bojack" Warren, Jr., of Sumiton, Alabama, for acts of extraordinary valor and heroism while engaged in the assistance of an officer of the law in distress.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Mr. Burl Hollie "Bojack" Warren, Jr., in recognition of his uncommon courage and in highest tribute to a distinguished Alabamian of whom we are deeply proud.

On motion of Senator Bishop, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Bailey and Mitchem offered the following Senate Resolution, to-wit:

S. R. 106. NAMING HIGHWAY 84 EAST IN HOUSTON COUNTY, "THE JOHN L. MURPHREE BOULEVARD."

Which was adopted.

Senator Corbett offered the following Senate Resolution, to-wit:

S. R. 107. CONGRATULATING MR. AND MRS. HENRY JORDAN ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Which was adopted.

Senators Corbett and Little offered the following Senate Resolution, to-wit:

S. R. 108. COMMENDING JAMES JOSEPH OF PHENIX CITY, ALABAMA, FOR OUTSTANDING ATHLETIC ACCOMPLISHMENT.

Which was adopted.

### MOTIONS IN WRITING

Senator Smith (J) offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 99, on page 15 of the Eighth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 99, referred to the Standing Committee on Rules for placement on the Consent Calendar.

Senator Foshee offered the following Motions in Writing, to-wit:

I move that the Bill, S. B. 1, on page 18 of the Eighth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 1, referred to the Standing Committee on Rules for placement on the Consent Calendar.

Also:

I move that the Bill, S. B. 164, on page 41 of the Eighth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 164, referred to the Standing Committee on Rules for placement on the Consent Calendar.

Also:

I move that the Bill, S. B. 242, on page 43 of the Eighth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 242, referred to the Standing Committee on Rules for placement on the Consent Calendar.

### RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 109. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the eighth legislative day of the 1986 Regular Session only:

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Inst Id		Page
S. 168	Pensions and Security Dept., supp. approp.	34
S. 170	State agencies and political subdiv. required to purchase American-made goods; contracts in violation void	39
S. 232	Parental Right to Notification of Minors and Mentally Incompetents Person's Abortion Act, notification, pen. prescribed.	23
S. 201	Juveniles, st. in which juvenile is charged with delinquency auth. requisition from another st., Interstate Compact on Juveniles alt.	26
S. 114	Real est. brokers and salesmen req. to complete cert. continuing ed. to renew license, Sec. 34-27-5 am'd.	27
S. 41	Real estate cos., brokers and salesmen, reg., annual license fees reg. further, Sec. 34-27-35 am'd.	26
S. 180	Medicine, application for license to practice, unlawful to submit false information, penalty provided for violations	15
S. 25	Retirement systems, state aircraft pilots entitled to same benefits as state police officers, Sec. 36-27-16 am'd.	4
S. 316	Alcoholic beverages, lounge and retail package retail liquor licenses, Sec. 28-3A-11 am'd.	40
S. 169	Cable television services theft defined; criminal penalties, civil liab, and confiscation of equipment provided	27
S. 78	Permanent state employee reimbursed for actual moving expenses, Sec. 36-7-40 am'd.	8
S. 142	Airlines, tax exemptions to encourage large airlines to set up operations in the st., Secs. 40-9-1, 40-12-223, 40-14-41, 40-17-31, 40-23-4, 40-23-62 am'd.	24

Senator Cabaniss offered the following substitute for the Resolution, S. R. 109, to-wit:

**SUBSTITUTE FOR S. R. 109**

S. R. 109. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the eighth legislative day of the 1986 Regular Session only:

Inst Id		Page
S. 168	Pensions and Security Dept., supp. approp.	34
S. 232	Parental Right to Notification of Minors and Mentally Incompetents Person's Abortion Act, notification, pen. prescribed.	23

S. 201	Juveniles, st. in which juvenile is charged with delinquency auth. requisition from another st., Interstate Compact on Juveniles alt.	26
S. 114	Real est. brokers and salesmen req. to complete cert. continuing ed. to renew license, Sec. 34-27-5 am'd.	27
S. 41	Real estate cos., brokers and salesmen, reg., annual license fees reg. further, Sec. 34-27-35 am'd.	26
S. 180	Medicine, application for license to practice, unlawful to submit false information, penalty provided for violations	15
S. 25	Retirement systems, state aircraft pilots entitled to same benefits as state police officers, Sec. 36-27-16 am'd.	4
S. 316	Alcoholic beverages, lounge and retail package retail liquor licenses, Sec. 28-3A-11 am'd.	40
S. 169	Cable television services theft defined; criminal penalties, civil liab, and confiscation of equipment provided	27
S. 78	Permanent state employee reimbursed for actual moving expenses, Sec. 36-7-40 am'd.	8
S. 142	Airlines, tax exemptions to encourage large airlines to set up operations in the st., Secs. 40-9-1, 40-12-223, 40-14-41, 40-17-31, 40-23-4, 40-23-62 am'd.	24

On motion of Senator Cooley, said substitute was laid on the table.

Yeas 24; Nays 4.

*Yeas:*

Senators:	Corbett	Foshee	Menton
Aldridge	Covington	Hilliard	Parsons
Barron	Denton	Holmes	Sanders
Bedford	Drinkard	Horn	Smith (J)
Bennett	Ellis	Langford	Strong
Bishop	Figures	Little	Teague
Cooley			

—24

*Nays:*

Senators:	Cabaniss	Dixon	Hand
Bedsole			

—4

Senator Hand offered the following substitute for the Resolution, S. R. 109, to-wit:

### SUBSTITUTE FOR S. R. 109

RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the eighth legislative day of the 1986 Regular Session only:

REGULAR SESSION  
8th Day

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Inst Id		Page
S. 168	Pensions and Security Dept., supp. approp.	34
S. 232	Parental Right to Notification of Minors and Mentally Incompetents Person's Abortion Act, notification, pen. prescribed.	23
S. 201	Juveniles, st. in which juvenile is charged with delinquency auth. requisition from another st., Interstate Compact on Juveniles alt.	26
S. 114	Real est. brokers and salesmen req. to complete cert. continuing ed. to renew license, Sec. 34-27-5 am'd.	27
S. 41	Real estate cos., brokers and salesmen, reg., annual license fees reg. further, Sec. 34-27-35 am'd.	26
S. 180	Medicine, application for license to practice, unlawful to submit false information, penalty provided for violations	15
S. 25	Retirement systems, state aircraft pilots entitled to same benefits as state police officers, Sec. 36-27-16 am'd.	4
S. 316	Alcoholic beverages, lounge and retail package retail liquor licenses, Sec. 28-3A-11 am'd.	40
S. 169	Cable television services theft defined; criminal penalties, civil liab, and confiscation of equipment provided	27
S. 78	Permanent state employee reimbursed for actual moving expenses, Sec. 36-7-40 am'd.	8
S. 142	Airlines, tax exemptions to encourage large airlines to set up operations in the st., Secs. 40-9-1, 40-12-223, 40-14-41, 40-17-31, 40-23-4, 40-23-62 am'd.	24
S. 170	State agencies and political subdiv. required to purchase American-made goods; contracts in violation void	39

On motion of Senator Cooley, said substitute was laid on the table.

Yeas 25; Nays 5.

Yeas:

Senators:	Cooley	Hilliard	Parsons
Aldridge	Corbett	Holmes	Sanders
Amari	Covington	Horn	Smith (B)
Bailey	deGraffenried	Langford	Smith (J)
Bedford	Drinkard	Little	Strong
Bennett	Figures	Menton	Teague
Bishop	Goodwin		

—25

*Nays:*

Senators:	Cabaniss	Ellis	Hand	
Bedsole	Dixon			—5

And on motion of Senator Cooley, the Resolution, S. R. 109 was then adopted by the Senate.

Yeas 27; Nays 2.

*Yeas:*

Senators:	Cooley	Figures	Little	
Aldridge	Corbett	Goodwin	Menton	
Amari	Covington	Hand	Parsons	
Bailey	deGraffenried	Hilliard	Sanders	
Bedford	Dixon	Holmes	Smith (B)	
Bennett	Drinkard	Horn	Strong	
Bishop	Ellis	Langford	Teague	—27

*Nays:*

Senators:	Bedsole	Cabaniss		—2
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### BUDGET ISOLATION RESOLUTION

Senator Dial, B. I. R., S. B. 87, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Bishop	Figures	Menton	
Aldridge	Cooley	Goodwin	Parsons	
Amari	Corbett	Hand	Sanders	
Barron	Covington	Hilliard	Smith (B)	
Bedford	Denton	Horn	Smith (J)	
Bedsole	Drinkard	Langford	Strong	
Bennett	Ellis	Little	Teague	—27

<i>Nays:</i>				—0
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### BILLS ON THIRD READING

#### THE BILL:

S. 87. To amend sections 34-26-22, 34-26-43 and 34-26-43.1, Code of Alabama 1975, relating to the Board of Examiners In Psychology, so as to provide for increases in certain fees charged by the Board.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Bishop	Goodwin	Sanders	
Amari	Cooley	Hand	Smith (B)	
Bailey	Corbett	Horn	Smith (J)	
Barron	Covington	Langford	Strong	
Bedford	Denton	Little	Teague	
Bennett	Figures	Menton		—22

<i>Nays:</i>				—0
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**BUDGET ISOLATION RESOLUTION**

Senators Bailey and Strong, B. I. R., S. B. 52, adopted.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Cooley	Hilliard	Parsons	
Bailey	Corbett	Horn	Sanders	
Barron	Denton	Langford	Smith (J)	
Bedford	Goodwin	Little	Strong	
Bennett	Hand	Menton	Teague	—19

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 52. Relating to lakes or ponds in this state which are privately owned by three or less owners; to prohibit one owner or his or her guests or licensees from fishing upon any portion of the lake owned by another joint owner without permission of the other joint owner or owners; to provide that persons who violate this act shall be guilty of a violation of trespass in the third degree; and to authorize any landowner to obtain a professional land survey at his or her own expense of the property lying under the lake in order to determine which portion of the lake belongs to the landowner.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Horn	Sanders	
Bailey	Denton	Langford	Smith (J)	
Bedford	Goodwin	Little	Strong	
Bennett	Hand	Menton	Teague	
Cooley	Hilliard	Parsons		—18

*Nays:* —0

**REPORT FROM RULES**

Senator Strong, B. I. R., S. B. 154, Rules reported favorably, lost, said B. I. R. having failed to receive a three-fifth majority vote.

Yeas 8; Nays 7.

*Yeas:*

Senators:	Denton	Little	Smith (J)	
Barron	Horn	Mitchem	Strong	
Bennett				—8

*Nays:*

Senators:	Bedford	Corbett	Parsons	
Amari	Cooley	Menton	Sanders	—7

**B. I. R. RECONSIDERED**

On motion of Senator Parsons, the Senate reconsidered the vote by which the Strong, B. I. R., S. B. 154, was lost.

And on motion of Senator Parsons, B. I. R., S. B. 154, was then adopted.

Yeas 23; Nays 1.

*Yeas:*

Senators:	Cabaniss	Hand	Menton	
Amari	Cooley	Hilliard	Mitchem	
Barron	Denton	Holmes	Parsons	
Bedford	Ellis	Horn	Sanders	
Bedsole	Figures	Langford	Strong	
Bennett	Goodwin	Little	Teague	—23

*Nay:* Senator Corbett —1

### BILLS ON THIRD READING RESUMED

#### THE BILL:

S. 154. To create the Alabama Turkey Hunters Hall of Fame Board and Museum; to prescribe its purposes, membership and location; to provide for the appointment of its members and for the holding of meetings.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Cabaniss	Ellis	Menton	
Amari	Cooley	Goodwin	Mitchem	
Barron	Corbett	Hand	Sanders	
Bedford	Covington	Hilliard	Strong	
Bedsole	Denton	Little	Teague	
Bennett				—20

*Nays:* —0

### MOTIONS IN WRITING

Senator Teague offered the following Motions in Writing, to-wit:

I move that the Bill, S. B. 121, on page 20 of the Eighth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 121, referred to the Standing Committee on Rules for placement on the Consent Calendar.

Also:

I move that the Bill, S. B. 14, on page 9 of the Eighth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 14, referred to the Standing Committee on Rules for placement on the Consent Calendar.



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Also:

I move that the Bill, S. B. 114, on page 27 of the Eighth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 114, referred to the Standing Committee on Rules for placement on the Consent Calendar.

**BUDGET ISOLATION RESOLUTION**

Senator Bedford, B. I. R., S. B. 72, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Bedsole	Denton	Little	
Amari	Bennett	Goodwin	Menton	
Bailey	Cabaniss	Hand	Sanders	
Barron	Corbett	Hilliard	Smith (J)	
Bedford	Covington	Langford		—18

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 72. To amend Rule 4(e), Alabama Rules of Civil Procedure, under authority of Section 6.11, Article VI, Constitution of Alabama of 1901, so as to provide further for service of process where service is refused or unclaimed.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Bennett	Goodwin	Little	
Amari	Cabaniss	Hand	Menton	
Bailey	Denton	Hilliard	Sanders	
Bedford	Dixon	Holmes	Smith (J)	
Bedsole	Drinkard	Langford		—18

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Hilliard, B. I. R., S. B. 254, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Hilliard	Sanders	
Bailey	Denton	Holmes	Smith (J)	
Bedford	Dixon	Langford	Strong	
Bedsole	Drinkard	Little	Teague	
Bennett	Goodwin	Menton		—18

*Nays:* —0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 254. To amend Section 12-3-27, Code of Alabama 1975, which provides for the appointment of law clerks by judges of the courts of appeals, so as to provide that the judges of the courts of criminal appeals may appoint an additional clerk.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 17; Nays 1.

*Yeas:*

Senators:	Denton	Horn	Parsons	
Amari	Figures	Langford	Sanders	
Bailey	Goodwin	Little	Strong	
Bedsole	Hand	Menton	Teague	
Bennett	Hilliard			—17

*Nay:* Senator Cabaniss —1

**BUDGET ISOLATION RESOLUTION**

Senator Bennett, B. I. R., S. B. 30, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Denton	Horn	Parsons	
Bailey	Figures	Langford	Sanders	
Barron	Foshee	Little	Smith (B)	
Bennett	Goodwin	Menton	Strong	
Cabaniss	Hilliard	Mitchem		—18

*Nays:* —0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 30. To provide that a court of this State may require an obligor to post bond, give security, or give some other guarantee to secure the payment of overdue support.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Denton	Horn	Parsons	
Barron	Figures	Langford	Sanders	
Bedsole	Foshee	Little	Smith (B)	
Bennett	Goodwin	Menton	Smith (J)	
Cabaniss	Hilliard	Mitchem	Strong	—19

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Bennett, B. I. R., S. B. 32, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Hilliard	Parsons	
Amari	Denton	Horn	Sanders	
Barron	Dixon	Little	Smith (B)	
Bedsole	Foshee	Menton	Smith (J)	
Bennett	Goodwin	Mitchem		—18

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

THE BILL:

S. 32. To amend sections 38-10-2 through 38-10-9, Code of Alabama 1975, which provide for the Department of Pensions and Security to operate child support programs, so as to further comply with the requirements of Title IV-D of the Social Security Act; to provide for the enforcement of spousal support as incidental to the enforcement of child support as required by Title IV-D of the Social Security Act; to provide for the establishment and modification of support orders; to provide a definition of collection agent; to provide that the acceptance of aid shall be deemed an assignment to the Department of Pensions and Security of rights to support; to clarify that, in a case where there is a court order of support, the liability for the debt to the department created pursuant to such an assignment of support rights shall apply only with respect to the support payments owed for the period of time during which aid is granted; to provide for the collection and distribution of support; and to provide for the operation of a support program; and designation of the department as the agency to administer income withholding.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Bennett	Goodwin	Mitchem	
Bailey	Cabaniss	Hilliard	Parsons	
Barron	Denton	Horn	Sanders	
Bedford	Figures	Little	Smith (B)	
Bedsole	Foshee	Menton	Strong	—19

*Nays:* —0

**RESOLUTION**

Senators Bedsole, Aldridge, Amari, Bailey, Barron, Bedford, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Horn, Langford, Little, Menton, Mitchem, Parsons, Sanders Smith (B),

Smith (J), Strong, and Teague requested and received permission to suspend the Rules in order to offer the following Senate Resolution, to-wit:

S. R. 110. WELCOMING THE HMS BATTLEAXE, USS BRISCOE, FGS HESSEN, HMCS OTTAWA AND THE HNEMS TROMP, AND THEIR CREWS, TO THE PORT OF MOBILE AND THE STATE OF ALABAMA.

Which was adopted.

### BUDGET ISOLATION RESOLUTION

Senator Bennett, B. I. R., S. B. 168, adopted.

Yeas 24; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Little
Amari	Corbett	Hand	Menton
Bailey	Denton	Hilliard	Parsons
Barron	Dixon	Holmes	Sanders
Bedford	Figures	Horn	Smith (J)
Bedsole	Foshee	Langford	Strong
Bennett			

—24

Nays:

—0

### MOTION TO ADJOURN

Senator Goodwin moved that when the Senate adjourns today, it adjourn to meet again on Wednesday, February 12, 1986, at 3:30 P. M., which motion was adopted.

### SPECIAL ORDER

#### BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

S. 168. To provide a supplemental appropriation of \$2,500,000 to the Department of Pensions and Security from the State General Fund for FY 1985-86 and to provide a conditional appropriation of \$6,750,000 to the Department of Pensions and Security from the State General Fund for FY 1985-86 to pay awards made by the Board of Adjustment due to the default of payments to state agencies by the Department of Pensions and Security in FY 1984-85.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, S. B. 168, to-wit:

#### AMENDMENT TO S. B. 168

Amend SB 168, on Page 1, Lines 9, 23 and 34, by deleting the figure "\$6,500,000" and inserting therein: "\$7,600,000."

Further amend SB 168, on Page 1, Lines 17 and 29, by deleting the period and adding the following:

“; and to provide that certain provisions of this act shall be retroactive.”

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Further amend SB 168, on Page 1, Line 35, after the period add a new sentence which reads:

"Of this amount, \$1,100,000 is hereby appropriated to be used solely for the purpose of providing performance salary advances for employees of the Department of Pensions and Security. These funds shall be used solely to make payments for the salary of any employee who otherwise qualifies during the fiscal year 1985-86 for a performance salary adjustment within their assigned pay range, but may not receive such salary adjustment due to a declaration by the department that funds are unavailable for such purpose. It being the intent of the Legislature that appropriate compensation to such employees shall be retroactive from the time the performance salary advancement was due."

Which was adopted.

Yeas 29; Nays 0.

*Yeas:*

Senators:	Bishop	Figures	Little
Aldridge	Cabaniss	Foshee	Menton
Amari	Cooley	Hand	Mitchem
Bailey	Corbett	Hilliard	Parsons
Barron	deGraffenried	Holmes	Sanders
Bedford	Denton	Horn	Smith (B)
Bedsole	Dixon	Langford	Strong
Bennett	Ellis		

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*Nays:* —0

The Standing Committee on Finance and Taxation then reported the following amendment No. 2 to the Bill, S. B. 168, as amended, to-wit:

**COMMITTEE AMENDMENT NO. 2 TO S. B. 168 AS AMENDED**

Amend SB 168, Page 1, Line 9, by striking out "\$2,500,000" after the word "of" and inserting in lieu thereof "\$6,500,000"

further amend SB 168, Page 1, Line 23, by striking out "\$2,500,000" after the word "of" and inserting in lieu thereof "\$6,500,000"

further amend SB 168, Page 1, Line 34, by striking out "\$2,500,000" after the word "of" and inserting in lieu thereof "\$6,500,000"

further amend SB 168, Page 1, Line 35, by inserting after the period: "The intent of this appropriation is to insure adequate staffing of county offices and to continue the former "Title 20" Day Care Program.

Which was adopted.

Yeas 28; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Little
Amari	Corbett	Goodwin	Menton
Bailey	deGraffenried	Hand	Mitchem
Barron	Denton	Hilliard	Sanders
Bedford	Dixon	Holmes	Smith (B)
Bedsole	Ellis	Horn	Strong
Bennett	Figures	Langford	Teague
Cabaniss			

—28

*Nays:* —0

And said Bill, S. B. 168, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 31; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Menton	
Aldridge	Cooley	Goodwin	Mitchem	
Amari	Corbett	Hand	Parsons	
Bailey	deGraffenried	Hilliard	Sanders	
Barron	Denton	Holmes	Smith (B)	
Bedford	Dixon	Horn	Smith (J)	
Bedsole	Ellis	Langford	Strong	
Bennett	Figures	Little	Teague	—31

*Nays:*

—0

## RESOLUTIONS

Senators Cooley, Barron, Smith (J), Smith (B), Bedford, Aldridge, Denton, Amari, Bailey, Bedsole, Bennett, Bishop, Cabaniss, Corbett, Covington, deGraffenried, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Horn, Langford, Little, Menton, Mitchem, Parsons, Sanders, Strong and Teague requested and received permission to suspend the Rules to offer the following Senate Resolution, to-wit:

S. R. 111. MOURNING THE DEATH OF CHARLES H. STONE OF GURLEY, MADISON COUNTY, ALABAMA.

Which was adopted.

Senator Hand requested and received permission to suspend the Rules to offer the following Senate Joint Resolution, to-wit:

S. J. R. 112. TO REQUEST THE PURCHASING AGENT OF THE STATE OF ALABAMA TO EXAMINE THE EXTENT TO WHICH FOREIGN AND DOMESTIC MADE GOODS ARE PURCHASED BY STATE DEPARTMENTS, AGENCIES, INSTITUTIONS, ENTITIES, AND POLITICAL SUB-DIVISIONS THEREOF.

WHEREAS, the State of Alabama and its agencies, institutions, entities, and political sub-divisions annually expend millions of tax dollars for the purchase of products; and

WHEREAS, it has been brought to the attention of many legislators that many of the purchases are being made utilizing large amounts of foreign made products; and

WHEREAS, the United States is in the middle of a growing trade deficit which is adversely affecting the nation's economy and threatening to plummet the country into a serious recession; and

WHEREAS, the State of Alabama has a great deal to gain through promoting a healthy domestic economy; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby request the State Purchasing Agent to examine the extent to which foreign and domestic made products are purchased by state departments, agencies, institutions, entities,

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and political sub-divisions and to ascertain ways of increasing the use of materials manufactured, assembled, or produced in the United States.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the Governor and the State Purchasing Agent.

On motion of Senator Hand, the Rules were suspended and the Resolution was adopted by the Senate.

**MOTION TO ADJOURN LOST**

At 3:30 P. M., Senator Dixon moved that the Senate adjourn until Wednesday, February 12, 1986, at 3:30 P. M., which motion was lost.

Yeas 5; Nays 24.

*Yeas:*

Senators:	Cabaniss	Ellis	
Bedsole	Dixon	Hand	—5

*Nays:*

Senators:	Corbett	Goodwin	Menton	
Aldridge	deGraffenried	Hilliard	Parsons	
Bailey	Denton	Holmes	Sanders	
Bedford	Drinkard	Horn	Smith (B)	
Bennett	Figures	Langford	Smith (J)	
Bishop	Foshee	Little	Strong	
Cooley				—24

**REPORT FROM RULES**

Senator Bishop, B. I. R., S. B. 170, Rules reported favorably.

Senator Parsons moved that said B. I. R., S. B. 170, be adopted.

Senator Cabaniss offered the following Motion in Writing, to-wit:

**MOTION IN WRITING**

I move that we carry over B. I. R., to S. B. 170 for five legislative days.

Senator Dixon offered the following substitute Motion in Writing for the Cabaniss Motion in Writing, to-wit:

**SUBSTITUTE MOTION IN WRITING**

I move that we carry over the B. I. R., to S. B. 170 for four legislative days.

**REPORT OF SECRETARY**

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolution delivered to the Governor, with the date and hour of delivery, to-wit:

S. J. R. 70.

Delivered to the Governor, February 6, 1986, at 11:55 A. M.

McDOWELL LEE,  
Secretary of Senate.

### SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

### ADJOURNMENT

At 4:35 P.M., on motion of Senator deGraffenried, in accordance with Motion heretofore adopted, and pending further consideration of the Dixon substitute Motion in Writing for the Cabaniss Motion in Writing for B. I. R., S. B. 170, upon reaching the order of business of Report of Standing Committees, Rules Committee Report, the Senate adjourned until Wednesday, February 12, 1986, at 3:30 P.M.



**NINTH LEGISLATIVE DAY**  
**WEDNESDAY, FEBRUARY 12, 1986**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

**PRAYER**

The Session was opened with prayer by Dr. R. Lawson Bryan, Pastor, Dexter Avenue United Methodist Church, Montgomery, Alabama.

**PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Sherry Ward, Carver High School, Montgomery, Alabama.

**ROLL CALL**

Present:

Senators:	Cabaniss	Ellis	Langford
Aldridge	Cooley	Figures	Little
Amari	Corbett	Foshee	Menton
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hand	Sanders
Bedford	Denton	Hilliard	Smith (J)
Bedsole	Dial	Holmes	Strong
Bennett	Dixon	Horn	Teague
Bishop	Drinkard		

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**JOURNAL**

On motion of Senator Teague, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Eighth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

**COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Eighth Legislative Day was approved by the Senate.

**LEAVE OF ABSENCE**

On motion of Senator Teague, leave of absence was granted Senators Mitchem and Smith (B) for today.

**REPORT OF  
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, and finds same correctly engrossed, to-wit:

S. 168. To provide a supplemental appropriation of \$7,600,000 to the Department of Pensions and Security from the State General Fund for FY 1985-86 and to provide a conditional appropriation of \$6,750,000 to the Department of Pensions and Security from the State General Fund for FY 1985-86 to pay awards made by the Board of Adjustment due to the default of payments to state agencies by the Department of Pensions and Security in FY 1984-85; and to provide that certain provisions of this act shall be retroactive.

CHARLES BISHOP,  
Chairperson.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 138. NAMING THE NEW PUBLIC FISHING LAKE IN CONECUH NATIONAL FOREST, ESCAMBIA COUNTY, ALABAMA, THE "LEON BROOKS HINES LAKE."

Also:

H. J. R. 139. COMMENDING EARL M. ALBRITTON FOR DISTINGUISHED MILITARY SERVICE DURING WORLD WAR II.

Also:

H. J. R. 142. CONGRATULATING MR. AND MRS. A. J. BLAKE ON THE OCCASION OF THEIR 40TH WEDDING ANNIVERSARY.

Also:

H. J. R. 145. COMMENDING R. C. "RED" BAMBERG FOR HIS SERVICE ON THE BOARD OF DIRECTORS OF THE ALABAMA AGRICULTURAL DEVELOPMENT AUTHORITY.

Also:

H. J. R. 146. HONORING THE UNITED METHODIST WOMEN'S ORGANIZATION AND PROCLAIMING APRIL 5, 1986 AS UNITED METHODIST WOMEN CENTENNIAL DAY IN ALABAMA.

Also:

H. J. R. 147. COMMENDING THE J. D. JAZZ GROUP AT JEFFERSON DAVIS STATE JUNIOR COLLEGE.

Also:

H. J. R. 148. MOURNING THE DEATH OF FRANK DRAIN OF GADSDEN, ALABAMA.

Also:

H. J. R. 149. COMMENDING BETTY CAROL GRAHAM, AS AEA VICE PRESIDENT-PRESIDENT ELECT.

Also:

H. J. R. 150. NAMING THE CLASSROOM AND PHYSICAL EDUCATION FACILITY UNDER CONSTRUCTION AT WALLACE STATE COMMUNITY COLLEGE, HANCEVILLE, "THE TOM DRAKE COMPLEX."

Also:

H. J. R. 151. MOURNING THE DEATH OF LEON BROOKS HINES OF BREWTON, ALABAMA.

Also:

H. J. R. 152. COMMENDING COMMISSIONER FRED SMITH, THE ALABAMA DEPARTMENT OF CORRECTIONS AND ITS CORRECTIONAL INDUSTRIES DIVISION AND THOSE INMATES ASSISTING IN THE RENOVATION OF AND MOVE INTO THE "STATE HOUSE."

Also:

H. J. R. 153. CONGRATULATING MR. AND MRS. E. K. BOWERS ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

H. J. R. 154. COMMENDING THE SCOTTSBORO HIGH SCHOOL CHEERLEADERS FOR OUTSTANDING ACCOMPLISHMENT.

Also:

H. J. R. 156. CONGRATULATING MR. AND MRS. PERRY O. HOOPER, JR., ON THE BIRTH OF THEIR SON, THOMAS CLEMENT.

Also:

H. J. R. 163. MOURNING THE DEATH OF CHARLES CORBETT WIMBERLY OF MOBILE, ALABAMA.

Also:

H. J. R. 164. COMMENDING JROTC CADET EARL A. ADAMS, OF WILLIAMSON HIGH SCHOOL IN MOBILE, FOR OUTSTANDING HEROISM.

Also:

H. J. R. 165. CONGRATULATING MR. AND MRS. WILLIAM CHESTER BOGGS ON THE OCCASION OF THEIR 60TH WEDDING ANNIVERSARY.

Also:

H. J. R. 166. CONGRATULATING MR. AND MRS. WILLIAM CLARENCE PENLAND ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

H. J. R. 167. COMMENDING JOSEPH B. MORTON, SYLACAUGA, ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

### INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Aldridge:

S. 427. Relating to the board of examiners of nursing home administrators; to amend sections 34-20-2, 34-20-9 and 34-20-13 of the Code of Alabama 1975, so as to further provide for the fees of the board.

Committee on Health and Welfare.

By Senator Aldridge:

S. 428. To amend Section 22-6-8 of the Code of Alabama 1975, relating to medicaid benefits, so as to provide further for the authority of the Alabama Medicaid Agency relative to suspension, revocation and reinstatement of recipient's benefits.

Committee on Health and Welfare.

By Senator Cooley:

S. 429. To provide for the better enforcement of foreign judgments by adopting the Uniform Enforcement of Foreign Judgments Act. To give such judgments the same force and effect as a judgment issued by a court in this state.

Committee on Judiciary.

By Senator Cooley:

S. 430. To amend Code of Alabama 1975, Section 7-9-307, so as to conform to the Federal Food Security Act of 1985, by adding new subsections (4) and (5) to provide for the protection of a secured party filing with the Secretary of State.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Cooley:

S. 431. To provide an appropriation of funds which are available to the Division of Employment Security of the Alabama Department of Industrial Relations out of funds credited to this State's account in the

Unemployment Trust Fund by the Secretary of the Treasury of the United States of America pursuant to Section 903 of the Social Security Act, as amended, for the purpose of providing funds for the administration of the unemployment compensation and employment service programs as the director shall determine to be in the best interest of the State, and the total cost of which does not exceed the amount of this appropriation. Such funds are to be expended exclusively for the programs administered by the Division of Employment Security of the Department of Industrial Relations of the State of Alabama.

Committee on Finance and Taxation.

By Senators Barron, Hand, Bedford, and Mitchem:

S. 432. To amend Sections 32-6-5 and 32-6-6 of the Code of Alabama 1975 relating to drivers' licenses and motor vehicles' registration so as to provide further for judges of probate or license commissioners to forward the negatives of driver's license photographs to the Director of Public Safety and to issue drivers' licenses at the county level and to provide for a voluntary anatomical gift to be made by the holder of a valid Alabama driver's license.

Committee on Commerce,  
Transportation, and Utilities.

By Senator Barron:

S. 433. To amend Sections 9-11-55 and 9-11-56, Code of Alabama 1975, as last amended by Act No. 84-446, S. 185, Code of Alabama 1975, relating to fees and charges for probate judges and other issuing officer and the issuance and costs of annual fishing licenses for nonresidents, so as to increase said fees and costs.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Teague:

S. 434. To exempt the Alabama Arthritis Foundation from the payment of all state, county and municipal sales and use taxes.

Committee on Finance and Taxation.

By Senator Teague:

S. 435. To exempt the Amvets of Alabama from the payment of all state, county and municipal sales and use taxes.

Committee on Finance and Taxation.

By Senator Teague:

S. 436. To exempt the Talladega Junior League from the payment of all state, county and municipal sales and use taxes.

Committee on Finance and Taxation.

By Senators Goodwin and Teague:

S. 437. To regulate rental-purchase agreements; to require disclosure of certain information by the merchant to the consumer; to authorize reinstatement of agreements under certain conditions; to regulate advertising for rental-purchase agreements; to provide for damages for violations of this act;

and to amend Section 5-19-1, Code of Alabama 1975, which defines certain terms for consumer finance purposes, so as to exclude rental-purchase agreements from the definition of credit sale.

Committee on Consumer Affairs.

By Senator Ellis:

S. 438. To revise the law on redemption of real estate and provide: definitions; who may redeem and priorities; to extend rights to executors and administrators; to characterize the rights of redemption; demand for statement of debt and lawful charges by person entitled to redeem; payment or tender of purchase money and other lawful charges, with interest; payment of value of permanent improvements and how the value of improvements are ascertained; provisions for when there is a failure or refusal of a purchaser to recover title; the settlement and adjustment of rights and equities by a circuit court when a complaint is filed; and when a right to redeem does not exist. To apply only to mortgages foreclosed after the effective date of this act which is July 1, 1986. To repeal Alabama Code Sections 6-5-230 through 6-5-246 as amended.

Committee on Judiciary.

By Senators Cabaniss, Bennett, Parsons, and Amari:

S. 439. To exempt the Birmingham Botanical Society, Inc., from the payment of all state, county and municipal sales and use taxes.

Committee on Finance and Taxation.

By Senators Cabaniss and Bennett:

S. 440. To amend Sections 27-10-20, 27-10-22, 27-10-24, 27-10-26, 27-10-31 and 27-10-35, Code of Alabama 1975, which relate to surplus line insurance, so as to provide for a premium tax on certain life and disability insurance placed with certain companies not licensed to do business in Alabama; to provide further for licensing of life and disability resident agents as surplus line brokers and for increasing the bond liability sum requirements of surplus line brokers; to amend policy endorsement requirement; to provide further for eligibility requirements of certain non-licensed insurers; to exclude brokers from payment of surplus line tax on coverage insuring governmental entities; to exempt governmental entities from payment of surplus line tax and to provide for an effective date.

Committee on Banking and Insurance.

By Senator Bennett:

S. 441. To provide for an assignment to the Department of Pensions and Security of the right to any support owed to or for a child either in the custody of the Department of Pensions and Security and receiving foster care or receiving foster care maintenance payments under Title IV-E of the Social Security Act; to provide the Department of Pensions and Security with the authority to bring actions to establish, modify, or enforce a support obligation with respect to such child; to provide that a support obligation may be ordered at the time custody is granted to the Department of Pensions and Security; and to provide that the Department of Pensions and Security may collect and distribute support in accordance with rules published by the Department of Pensions and Security.

Committee on Governmental Affairs.

By Senator Bennett:

S. 442. To amend Section 16-52-3 Code of Alabama 1975, which relates to the board of trustees for Jacksonville State University so as to add one member at-large to the board of trustees and to provide that the board of trustees shall be divided into three classes.

Committee on Education.

By Senator Dixon:

S. 443. To amend Section 40-18-71, Code of Alabama 1975, which provides for employee's withholding tax, so as to provide an optional form of the withholding tax.

Committee on Finance and Taxation.

By Senator Little:

S. 444. To amend Section 12-15-90, Code of Alabama 1975, relating to involuntary commitment of minors or children so as to provide for the liability of the department of mental health for costs associated with care, treatment or housing of any minor or child committed to its custody.

Committee on Judiciary.

By Senators Corbett, Dixon, Holmes, Menton, Foshee, Barron, Cooley, Bennett, Covington, and Aldridge:

S. 445. Relating to the Alabama Sunset Law; to continue until October 1, 1987, the existence and functioning of the Alabama Surface Mining Commission as provided in Sections 9-16-70 through 9-16-107, except Section 9-16-75 which is specifically repealed, of the Code of Alabama 1975, with certain modifications; to amend Sections 9-16-73, 9-16-74, 9-16-78, 9-16-85, 9-16-88 and 9-16-103, Code of Alabama 1975, so as to provide that the rules and regulations of the commission shall not be more stringent than those promulgated by federal statute, rule or regulation; to create a legislative oversight committee and to provide for the duties, composition, meetings and compensation of members of the committee; to require the director of the commission to have knowledge of state and federal surface mining laws, rules and regulations; to provide for a technical assistant for the commission and to provide for his duties and salary; to require fines levied by the commission to be paid to the state general fund; to require permits and licenses to be issued more promptly; to provide that fines are not due until all appeals have been finally adjudicated; and to specifically repeal Section 9-16-75, of the Code of Alabama 1975, and all rules and regulations promulgated pursuant to said section. It is further provided that the commission shall be reviewed by the Sunset Committee in the interim between the 1986 and 1987 Regular Legislative Sessions and that said commission shall be terminated effective October 1, 1987, unless a Sunset bill passes at the 1987 Regular Session to continue the commission.

Committee on Governmental Affairs.

By Senators Hand, Bishop, Bedford, Teague, Goodwin, Denton, Strong, and Foshee:

S. 446. To amend Section 40-17-224 of the Code of Alabama 1975, relating to use of certain gas tax proceeds for highway purposes, so as to provide further for such use by certain municipalities.

Committee on Finance and Taxation.

By Senator Hand:

S. 447. To provide for a single ballot primary, to permit qualified voters to vote without regard to party affiliation, and to repeal Section 17-16-14 of the Code of Alabama 1975.

Committee on Governmental Affairs.

By Senator Foshee:

S. 448. To propose an amendment to the Constitution of Alabama of 1901, as amended, relating to Covington County, so as to permit the county commission to levy and collect a special property tax, in addition to all other taxes now or hereafter authorized by the Constitution and laws of Alabama.

Committee on Local Legislation No. 1.

The above Bill was read a first time at length as required by the Constitution.

By Senator Foshee:

S. 449. To amend Act No. 85-921, H. 35, 1985 Second Special Session, which creates a licensing board to be known as the Alabama Board of Electrical Contractors, so as to provide further for the exemptions from licensing.

Committee on Small Business.

By Senators Foshee, Teague, Denton, Sanders, Covington, Bishop, and Bailey:

S. 450. To amend Sections 11-6-1 and 11-6-2, Code of Alabama 1975, as amended, which relate to the appointment, salary and qualifications of county engineers so as to further provide for the conditions of employment of such county engineers.

Committee on Governmental Affairs.

## REPORTS OF COMMITTEES

Senator Bishop, Chairperson of the Standing Committee on Rules reported that the following Bills had been placed on the Consent Calendar for today, to-wit:

By Senator Bedsole:

S. 120. To amend Section 16-28-3, Code of Alabama, 1975, relating to ages of children required to attend school, so as to require a change in the age levels necessary to attend school from 7-16 to 6-16 years.

By Senator Dixon:

S. 226. To amend Section 13A-7-23.1 of the Code of Alabama 1975 relating to criminal offenses involving desecration of tombs and gravestones, so as to provide further for such offenses.

By Senators Bedford, Amari, Hilliard, Menton, Denton, Bennett, Drinkard, and Strong:

S. 147. To establish a condemnation law of the State of Alabama for vehicles and equipment used in setting woodland or grassland fires and to further set forth a procedure whereby vehicles and equipment used in connection with such unlawful acts be condemned by appropriate authorities



and the same sold or awarded by court order to the State Forester for use or resale in enforcement of Code of Ala. (1975), Sec. 9-13-11(a)(1).

**REPORT OF  
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 80. COMMENDING BLOUNT COUNTY SHERIFF J. C. CARR ON HIS DISTINGUISHED LAW ENFORCEMENT CAREER.

Also:

S. J. R. 81. DIRECTING THE DESIGNATION OF CERTAIN PROPERTIES OWNED BY THE STATE OF ALABAMA AS A WILDLIFE REFUGE AND THAT SAID PROPERTIES BE CEDED OVER TO GUNTERSVILLE STATE PARK FOR ADMINISTRATION AND PROTECTION.

Also:

S. J. R. 82. COMMENDING JUDGE ALTON M. BLANTON FOR MERITORIOUS SERVICE TO THE STATE OF ALABAMA.

CHARLES BISHOP,  
Chairperson.

**SIGNING OF RESOLUTIONS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. White (F)

H. J. R. 170. COMMENDING THE POLLARD-McCALL JUNIOR HIGH SCHOOL BASKETBALL TEAMS FOR OUTSTANDING ACHIEVEMENTS.

Also:

By Rep. Pratt:

H. J. R. 171. COMMENDING CLARENCE DRIVER OF BIRMINGHAM, ALABAMA, ON HIS LONG AND DISTINGUISHED CAREER WITH ROBERTS AND SONS.

Also:

By Rep. Coleman:

H. J. R. 172. COMMENDING MR. AND MRS. JAMES VERGIL NOLEN ON THEIR 50TH WEDDING ANNIVERSARY.

Also:

By Reps. Hall, Grayson, Hettinger, Albright, and Butler:

H. J. R. 173. MOURNING THE DEATH OF CHARLES H. STONE OF GURLEY, MADISON COUNTY, ALABAMA.

Also:

By Rep. Black:

H. J. R. 174. COMMENDING ATLANTA CITY COUNCILMAN JOHN LEWIS AND WELCOMING HIM TO LIVINGSTON UNIVERSITY AND WEST ALABAMA.

Also:

By Reps. Grayson and Albright:

H. J. R. 175. COMMENDING MR. WILLIAM MYERS JOHNSON FOR OUTSTANDING CONTRIBUTIONS TO THE CITIZENS OF HUNTSVILLE, ALABAMA, AND THE BROTHERS OF KAPPA ALPHA PSI FRATERNITY, INCORPORATED.

Also:

By Rep. Turner:

H. J. R. 176. CONGRATULATING MRS. DODIE McLAUGHLIN EVANS OF FAIRVIEW, ALABAMA, ON THE OCCASION OF HER 100TH BIRTHDAY.

Also:

By Reps. McMillan and Penry:

H. J. R. 178. COMMENDING C. LeNOIR THOMPSON, BAY MINETTE CITIZEN OF THE YEAR, 1985.

Also:

By Rep. Junkins:

H. J. R. 182. MOURNING THE DEATH OF FRANK DANIELS, JUNIOR.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Denton, the Rules were suspended and the Resolutions, H. J. R. 's 170 and 171, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

The Resolutions, 172, 173, 174, 175, 176, 178, and 182, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Johnson (Roy):

H. J. R. 169. AMENDING THE JOINT RULES OF THE TWO HOUSES.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Joint Rules of the Two Houses of the Alabama Legislature of Alabama are hereby amended by striking Rule 14 and substituting a new Rule 14 to read as follows:

Rule 14. All members of the House and Senate, the press corps, employees of the two houses and any guests or visitors on the floors of the State House used by the Legislative Branch, are prohibited from carrying a firearm or any other thing that might be construed to be a lethal weapon. This rule will not apply to employees of the two houses who are security officers nor to members of the State Troopers who are in their official capacities.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolution, H. J. R. 169, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

**UNFINISHED BUSINESS**

**RULES COMMITTEE REPORT**

The Senate proceeded to further consideration of the Unfinished Business for today, which was the Dixon substitute Motion in Writing for the Cabaniss Motion in Writing for B. I. R., S. B. 170, said Motions in Writing and B. I. R., S. B. 170, having been set out in the Journal of the Senate for the Eighth Legislative Day.

**REPORT OF SECRETARY**

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. J. R. 80

S. J. R. 81

S. J. R. 82

Delivered to the Governor, February 12, 1986, at 4:15 P.M.

McDOWELL LEE,  
Secretary of Senate.

**SECRETARY'S REPORT**

The foregoing report of the Secretary was read and ordered spread upon the Journal.

**ADJOURNMENT**

At 5:25 P.M., on motion of Senator Bedsole, pending further consideration of the Dixon substitute Motion in Writing for the Cabaniss Motion in Writing for B. I. R., S. B. 170, upon reaching the order of business of Report of Standing Committees, Rules Committee Report, the Senate adjourned until Thursday, February 13, 1986, at 10 o'clock A.M.

**TENTH LEGISLATIVE DAY**  
**THURSDAY, FEBRUARY 13, 1986**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

**PRAYER**

The Session was opened with prayer by the Reverend Henry E. Eddins, Pastor, St. James United Methodist Church, Montgomery, Alabama.

**PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Dusty Lee, Wetumpka High School, Wetumpka, Alabama.

**ROLL CALL**

Present:

Senators:	Cabaniss	Ellis	Little
Aldridge	Cooley	Figures	Menton
Amari	Corbett	Foshee	Mitchem
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hand	Sanders
Bedford	Denton	Hilliard	Smith (B)
Bedsole	Dial	Holmes	Smith (J)
Bennett	Dixon	Horn	Strong
Bishop	Drinkard	Langford	Teague

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**JOURNAL**

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Ninth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

**COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Ninth Legislative Day was approved by the Senate.

**INTERIM COMMITTEE REPORT FILED**

Pursuant to the provisions of Act No. 85-301, the report of the Alabama Legislative Congressional Advisory Committee on the Textile Industry was filed with the Secretary.

## INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Cooley:

S. 451. To amend Section 36-26-36, Code of Alabama 1975, relating to accrued sick leave of state employees, so as to permit a certain percent of said sick leave to be claimed as creditable retirement service.

Committee on Governmental Affairs.

By Senator Cooley:

S. 452. To amend Section 36-26-36, Code of Alabama 1975, relating to accrued sick leave of state employees, so as to permit a certain percent of said sick leave to be claimed by state law enforcement officers as creditable retirement service.

Committee on Governmental Affairs.

By Senator Mitchem:

S. 453. To appropriate funds to the Alabama Association of Rescue Squads from the state general fund for the purpose of employing a full-time representative and executive director for said Association, and for the purchase, maintenance and operation of equipment necessary for the coordination of the performance of emergency services, and for the maintenance of a full-time state office for the Association and the staffing of the same.

Committee on Finance and Taxation.

By Senator Teague:

S. 454. To require all motor vehicle operators to have certain liability insurance coverage or financial security and to furnish proof of such coverage or security and to provide criminal sanctions for violating the provisions of this act.

Committee on Banking and Insurance.

By Senators Parsons and Horn (With Notice and Proof):

S. 455. Relating to Jefferson County; to amend Section 13(e) of Act 497 of the Regular Session of the Legislature of Alabama of 1965 as amended by Act No. 81-1060 of the Second Special Session of the Legislature of Alabama of 1981 to provide that the term "another pension system" as used herein shall mean a pension system established by or under a law of the State of Alabama for public officers or public employees other than the pension system established by this Act and which proscribes or otherwise does not allow for voluntary withdrawal by the members thereof; to authorize the Pension Board of the General Retirement System for Employees of Jefferson County to establish rules and regulations to authorize former members of the Pension System who withdraw from the Pension System under the authority provided by Section 13(e) of Act No. 497 of the Regular Session of the Legislature of Alabama as amended by Act No. 81-1060 of the Second Special Session of the Legislature of Alabama of 1981 a one-time opportunity to rejoin the Pension System as a new member and without

credit for any previous paid time or previous unpaid time in the Pension System.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 455, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Horn:

S. 456. To repeal Amendment No. 448 to the Constitution of Alabama of 1901, which relates to the paramount duty of the Legislature to make basic appropriations at regular sessions.

Committee on Constitutional Revision.

The above Bill was read a first time at length as required by the Constitution.

By Senator Hilliard:

S. 457. To provide for the redevelopment and revitalization of municipalities and counties in this state and funding the costs thereof through tax increment financing; to authorize the creation of tax increment districts and the adoption of project plans with respect thereto and establish the procedures and requirements therefor; to establish procedures for determining the tax increment and the tax increment base; to permit the amendment of project plans; to provide for allocation of tax increments for such districts to the municipality or county that created the district and for the expiration of such allocations; to provide for the termination of such tax increment districts; to prescribe sources for paying project costs within such districts; to authorize indebtedness to be incurred for such costs, payable from such tax increments, and which may or may not be additionally secured by the full faith and credit of the issuer and other liens or covenants; to permit pay-as-you-go funding of projects; to permit overlapping districts; to provide for calculating the equalized assessment of taxable property within such districts and to permit withholding of tax increments to satisfy prior binding commitments.

Committee on Finance and Taxation.

By Senator Hilliard:

S. 458. To propose an amendment to the Constitution of Alabama of 1901 authorizing legislation to permit municipalities and counties to provide for the redevelopment and revitalization of areas within their corporate limits or boundaries by creating tax increment districts; to provide for the payment of all increased ad valorem taxes resulting from such redevelopment or revitalization to the municipality or county which created the district until any indebtedness incurred with respect to such project has been paid; to provide that no such payment shall be made to the extent that it jeopardizes the payment of any bonded indebtedness secured by any tax applicable in the proposed district; to exempt the municipality or county from the provisions of Section 94 of the Constitution with respect to any such project; to provide that any such indebtedness shall not constitute a charge against any constitutional debt limit if it is payable solely from such increased ad valorem taxes; to ratify and approve legislation adopted in furtherance of the powers hereby conferred; and to provide for the adoption hereof.

Committee on Constitutional Revision.

The above Bill was read a first time at length as required by the Constitution.

By Senators deGraffenried, Parsons, Foshee, Langford, Mitchem, Teague, Drinkard, Bedford, and Hilliard:

S. 459. To reopen the Teachers' and Employees' Retirement Systems of Alabama for nonmembership service; to provide that as a prerequisite to obtaining such credit, said members must be active and contributing members of the Employees' Retirement System of Alabama or the Teachers' Retirement System of Alabama, and to provide that this act shall take effect October 1, 1986, and to provide for its termination on October 1, 1987.

Committee on Buildings and Grounds.

By Senator Goodwin:

S. 460. Authorizing the appointment of peace officers by the ACJIC director and chairman of the ACJIC Commission to enforce laws pertaining to the operation and administration of the Alabama criminal justice information system.

Committee on Judiciary.

By Senators Little, Bedsole, Barron, and Corbett:

S. 461. To authorize the governing body of any county or municipality, or any county and municipality or municipalities to establish historic preservation commissions and architectural review boards in order to preserve and protect buildings, sites, structures, areas and districts of historic significance, architectural, archaeological and aesthetic heritage in the state, and to promote these attractions to tourists and visitors; to provide for the membership, the qualifications and terms, the powers, duties, and appointments to such commissions and boards; to prescribe that certain reporting shall be made to the Alabama Historical Commission and to the local governing bodies; to provide for the reimbursement of expenses of members, the rules of procedures for operations, and notice of meetings; to provide that each commission shall constitute a non-profit governmental agency whose funds shall be used exclusively for public purposes; to prescribe that certain restrictions shall be placed on designated properties, and provide exceptions thereto; to provide for appeals and other judicial processes; to preserve certain existing historic development commissions or architectural review boards; to authorize these to be certified with local government status or to assume the powers of this act pursuant to proper ordinance; and to provide that the provisions of this act are cumulative.

Committee on Judiciary.

## MOTION RELATIVE TO ORDER OF BUSINESS

On motion of Senator Hand, permission was granted to allow introduction at any time during the Tenth Legislative Day of commendatory Senate Resolutions.

## RESOLUTIONS

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 113. COMMENDING DOST MOHAMMAD KHATTAK, PROMINENT HUNTSVILLE PHYSICIAN.



Also:

S. R. 114. COMMENDING JAMES H. HORTON, PROMINENT HUNTSVILLE BUSINESS AND CIVIC LEADER.

Which were adopted.

### REPORTS OF COMMITTEES

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, requested and received unanimous consent to report that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Ellis:

S. 69. To amend Section 41-8-2, Code of Alabama 1975, relating to the board of the Alabama public library service, so as to increase the membership of the said board and to require that each congressional district be represented; to provide for filling vacancies and residential requirements.

By Senators Bedford, Bennett, Aldridge, Little, and Langford:

S. 213. To require public officers and employees and certain other persons who have any financial interest in any commercial hazardous waste disposal site in the State of Alabama to file an annual statement of such financial interest with the Secretary of State and to provide penalties for the noncompliance with this Act.

By Senator Denton:

S. 239. To propose a law to authorize two or more counties to establish self-funded insurance funds for the purpose of providing liability protection of the member counties.

By Senator Cabaniss:

S. 354. To establish an Alabama Men's Hall of Fame; prescribes its purposes and membership; and provides for election of members and officers and for holding of meetings.

By Senators Drinkard, Dixon, Ellis, and Teague:

S. 399. To amend Section 36-21-2, Code of Alabama 1975, which provides for subsistence allowances for certain law enforcement officers, so as to provide a subsistence allowance for Correctional Officers I in the Alabama Department of Corrections.

By Senator Sanders:

S. 372. To amend Section 17-4-156, Code of Alabama 1975, which provides for meeting days for county boards of registrars, so as to provide further for the meeting days of the boards in Lowndes, Perry, Sumter, Wilcox and Greene Counties.

By Senator Bennett:

S. 405. To provide that support shall be ordered paid directly to the Department of Pensions and Security or its designee in cases which come within the requirements of Title IV-D of the Social Security Act, as amended;

provides for the distribution of monies collected; provides for the notice to the court of the location and address where monies shall be received; provides for contracting with a designated party; provides that the record of collections shall constitute the official payment record, and shall be prima facie evidence of the payment made by the obligor.

By Senators Corbett, Dixon, Holmes, Menton, Foshee, Barron, Cooley, Bennett, Covington, and Aldridge:

S. 445. Relating to the Alabama Sunset Law; to continue until October 1, 1987, the existence and functioning of the Alabama Surface Mining Commission as provided in Sections 9-16-70 through 9-16-107, except Section 9-16-75 which is specifically repealed, of the Code of Alabama 1975, with certain modifications; to amend Sections 9-16-73, 9-16-74, 9-16-78, 9-16-85, 9-16-88 and 9-16-103, Code of Alabama 1975, so as to provide that the rules and regulations of the commission shall not be more stringent than those promulgated by federal statute, rule or regulation; to create a legislative oversight committee and to provide for the duties, composition, meetings and compensation of members of the committee; to require the director of the commission to have knowledge of state and federal surface mining laws, rules and regulations; to provide for a technical assistant for the commission and to provide for his duties and salary; to require fines levied by the commission to be paid to the state general fund; to require permits and licenses to be issued more promptly; to provide that fines are not due until all appeals have been finally adjudicated; and to specifically repeal Section 9-16-75, of the Code of Alabama 1975, and all rules and regulations promulgated pursuant to said section. It is further provided that the commission shall be reviewed by the Sunset Committee in the interim between the 1986 and 1987 Regular Legislative Sessions and that said commission shall be terminated effective October 1, 1987, unless a Sunset bill passes at the 1987 Regular Session to continue the commission.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that the following Bill has been placed at the end of the Regular Order Calendar for today, to-wit:

By Senator Hilliard (With Notice and Proof):

S. 318. To provide for the authorization by the county governing body and the creation in any county or counties in Alabama of a public corporation for the purposes of flood control in circumstances affecting urban areas of any one or more counties in Alabama to be known as the (name of county) Flood Control Authority with its principal office to be located in the county seat of such county; to provide for a board of directors, prescribe the method of their appointment, and the powers and duties of such Authority, including the employment of personnel, attorneys, architects, engineers, consultants and agents; to authorize the State of Alabama, and counties and municipalities therein, to contract with and to appropriate funds to such Authority and to issue general obligation or revenue bonds or warrants to finance projects contracted for; to provide that the debts and obligations of such Authority shall not be debts of the state, county or any municipality therein; to exempt the Authority and its property from state, county, and municipal taxation; to authorize state, county and municipal appropriations to such Authority; to authorize such Authority to receive federal, state, local government and private grants and authorize counties and municipal governments to contract with the Authority for projects and to finance the same with public funds; to make the provisions hereof severable; and, to establish an effective date of the Act.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that the following Bills have been placed on the Consent Calendar for today, to-wit:

By Senator Cooley:

S. 132. To further regulate and control alcoholic beverage transactions in wet counties and municipalities in Alabama under the control and supervision of the alcoholic beverage control board; to provide uniform definitions applicable to Chapter 3, Title 28, Code of Alabama 1975, and to the Alcoholic Beverage Licensing Code, being Act No. 80-529, Acts of Alabama 1980, as amended, appearing as Chapter 3A, Title 28, Code of Alabama 1975, as amended, and to the Alabama Table Wine Act, being Act 80-382, Acts of Alabama 1980, as amended, appearing as Chapter 7, Title 28, Code of Alabama 1975, as amended; and to repeal all laws or parts of laws in conflict herewith.

By Senator Mitchem:

S. 229. To make a supplemental appropriation from the general fund of the state treasury to the Alabama Manufactured Housing Commission for the current fiscal year.

By Senators Mitchem, Hand, Figures, Menton, Bedsole, Bedford, and Little:

S. 204. To amend Section 3 of the amendment to the Constitution of Alabama of 1901 proposed by Act No. 85-79, H. 6, of the 1985 First Special Session, which provides for a permanent trust fund known as "The Alabama Trust Fund" with certain moneys derived by the state from the sale, leasing or other disposition of its rights in certain offshore oil, gas and other hydrocarbon minerals, so as to provide further for the membership of the board of trustees of such trust fund.

By Senator Hilliard:

S. 265. To amend section 11-81-11, Code of Alabama 1975, so as to authorize county and municipal governments to sell their bonds by negotiated process if the governing body shall find that such process is desirable to gain the lowest net interest cost.

By Senator Little:

S. 200. To provide that employees of the Alabama Film Commission shall be unclassified employees and to allow such employees to be covered as members of the state employees' retirement system and the state employees' health insurance plan, and to provide certain retroactive effect.

## RESOLUTIONS

Senators deGraffenried, Bailey, Aldridge, Amari, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Horn, Langford, Little, Menton, Mitchem, Parsons, Sanders, Smith (B), Smith (J), Strong and Teague offered the following Senate Resolution, to-wit:

S. R. 115. MOURNING THE DEATH OF ARMISTEAD INGE SELDEN, JR., OF GREENSBORO, ALABAMA.

Which was adopted.

Senator Strong offered the following Senate Resolution, to-wit:

S. R. 116. COMMENDING MRS. MAE TARLETON OF THOMASVILLE, ALABAMA.

Which was adopted.

Senator Horn offered the following Senate Resolution, to-wit:

S. R. 117. COMMENDING BENJAMIN D. MCGHEE OF BIRMINGHAM, ALABAMA, FOR OUTSTANDING SERVICE AND LEADERSHIP.

Which was adopted.

Senator Menton offered the following Senate Resolution, to-wit:

S. R. 118. COMMENDING CANDI NICHOLAS OF THE UNIVERSITY OF MONTEVALLO FOR OUTSTANDING ACHIEVEMENT.

Which was adopted.

Senator Denton offered the following Senate Resolutions, to-wit:

S. R. 119. COMMENDING TERRY WOODFORD OF MUSCLE SHOALS, ALABAMA, FOR OUTSTANDING SERVICE AS CHAIRMAN OF THE ALABAMA MUSIC HALL OF FAME BOARD.

Also:

S. R. 120. CONGRATULATING DR. THOMAS F. "WHITEY" HALL FOR BEING NAMED 1985 SHOALS CITIZEN OF THE YEAR.

Which were adopted.

Senators Little and Foshee offered the following Senate Joint Resolution, to-wit:

S. J. R. 121. COMMENDING SOLON DIXON OF ANDALUSIA, ALABAMA.

WHEREAS, it is with a sense of great pride that the Alabama Legislature notes the numerous and notable civic contributions of Mr. Solon Dixon of Andalusia, Alabama; and

WHEREAS, a native of Rome, Alabama, Solon Dixon is a graduate of Lyman Ward Military Institute and Auburn University from which he graduated in 1926; for his outstanding service he was recognized by Auburn University in 1979 and awarded a Doctor's Degree and in 1980, Lurleen B. Wallace State Junior College awarded him an honorary degree; and

WHEREAS, he has continued his interest in education by assisting Lyman Ward Military Academy who named the Dixon All-Faith Chapel in his name, Lurleen B. Wallace State Junior College where he donated funds for the construction of the Martha and Solon Dixon Center for the Performing Arts, and Auburn University where he gave land and funds for the Dixon Forestry Center; and

WHEREAS, Mr. Dixon serves on the Board of Trustees of Lyman Ward Military Academy and on the Advisory Council and Foundation of Lurleen B. Wallace State Junior College; and

WHEREAS, the Andalusia Chamber of Commerce, of which he has been an active member for over 45 years, recently honored him at its annual

banquet by presenting him with the much coveted Distinguished Service Award; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Mr. Solon Dixon, of Andalusia, Alabama, for outstanding professional achievement and service to the community.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to Mr. Dixon that he may know of our sincere admiration and regard.

Which was read and referred to the Standing Committee on Rules.

Senator Hand requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

S. J. R. 122. COMMENDING MRS. PAT ANDERSON AND THE FOLEY HIGH SCHOOL COMPUTER CENTER FOR OUTSTANDING ACHIEVEMENT.

WHEREAS, it is with highest commendation that the Alabama Legislature notes the outstanding accomplishment of a special team of student programmers at Foley High School's Computer Center under the guidance of Instructor-Coordinator Pat Anderson; and

WHEREAS, in response to the approach by a representative of the Alabama Department of Public Safety, requesting assistance in obtaining a computer version of the Alabama Driver's Handbook, Mrs. Anderson assigned the post of project chairman to student leader, John Baschab, who placed first in the state during the 1984-85 school year in senior level programming and third in senior level computer literacy; and

WHEREAS, other students participating in the project, assembled and organized by the project chairman, were seasoned programmer Paul Doughty, who was fourth in the state in senior level programming during 1984-85, along with John Schumacher, George Jones, Tim Knight, Terry Rogers and Greg Sharpless; and

WHEREAS, with each student responsible for the development of different versions of the "Safety Software," the project steadily progressed and was accelerated by regular meetings one night a week for the entire group; and

WHEREAS, the development of a computer program of the Alabama Driver's Manual, now complete, soon will be available, statewide, for the Commodore, Radio Shack, TRS80 and the Apple computers and may be used by teachers at various grade levels to teach units in safety and by driver's education instructors to supplement their curriculum; a testing option also is available both for individual sections and the entire program; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of outstanding creativity, dedication and achievement, we hereby most highly commend Mrs. Pat Anderson of Foley High School and her special team of student programmers, John Baschab, Paul Doughty, John Schumacher, George Jones, Tim Knight, Terry Rogers and Greg Sharpless, each of whom shall receive a copy of this resolution of commendation, with a copy also provided for the Foley High School Computer Center.

On motion of Senator Hand, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Smith (J) offered the following Senate Resolution, to-wit:

S. R. 123. COMMENDING R. H. (DOC) LATHAM OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING SERVICE TO THE COMMUNITY.

Which was adopted.

### SUNSET LAW

Pursuant to the provisions of Act 79-542, the Senate proceeded to consideration of the Sunset Bills.

Senator Smith (J) moved that the Senate suspend the time provisions of the Sunset Law, and proceed to the order of business of Motions, Resolutions, Local Bills, and Consent Calendar Bills.

### MOTION TO ADJOURN LOST

At 11:05 A.M., Senator Bishop moved that the Senate adjourn until Tuesday, February 18, 1986, at 2 o'clock P.M., which motion was lost.

### FURTHER CONSIDERATION OF SUNSET LAW

The Senate proceeded to further consideration of the motion of Senator Smith (J) that the Senate suspend the provisions of the Sunset Law.

### MOTION TO ADJOURN LOST

At 12 o'clock Noon, Senator deGraffenried moved that the Senate adjourn until Tuesday, February 18, 1986, at 2:05 P.M., which motion was lost.

### FURTHER CONSIDERATION OF SUNSET LAW

The Senate proceeded to further consideration of the motion of Senator Smith (J) that the Senate suspend the provisions of the Sunset Law, and proceed to the order of business of Motions, Resolutions, Local Bills, and Consent Calendar Bills, which motion was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Ellis	Mitchem
Amari	Cooley	Foshee	Parsons
Bailey	Corbett	Goodwin	Smith (B)
Barron	Covington	Hand	Smith (J)
Bedford	deGraffenried	Little	Strong
Bedsole	Denton	Menton	Teague
Bennett	Dixon		

—25

*Nays:*

—0

### RESOLUTION

Senators Goodwin, Corbett, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Covington, deGraffenried, Denton,

Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Hand, Hilliard, Holmes, Horn, Langford, Little, Menton, Mitchem, Parsons, Sanders, Smith (B), Smith (J), Strong and Teague offered the following Senate Joint Resolution, to-wit:

**S. J. R. 124. URGING CONGRESS TO TAKE AFFIRMATIVE ACTION TO EXTEND THE FEDERAL REVENUE SHARING PROGRAM AT LEAST THROUGH THE END OF FISCAL YEAR 1987.**

WHEREAS, the federal revenue sharing program launched during the early 1970's has pumped millions of dollars annually into state, county and city treasuries throughout this nation; and

WHEREAS, the current authorization for the federal revenue sharing program terminates at the end of fiscal year 1986; and

WHEREAS, in Alabama, federal revenue sharing funds account for over 9% of total municipal revenues and over 5% of total county revenues; and

WHEREAS, without federal revenue sharing funds, many local governmental entities will be forced to cut back or even curtail such vital services as police and fire protection among others; and

WHEREAS, the federal revenue sharing program is generally recognized as the most equitable and administratively efficient federal program now in existence; and

WHEREAS, there is no provision of law that sunsets federal revenue sharing in 1986, but merely a consensus of the conferees on the Budget Reconciliation Bill of 1985 that it would be sunsetted after the next meetings of the various state legislatures; and

WHEREAS, under such consensus agreement, seven state legislatures are not scheduled to meet again until 1987; and

WHEREAS, because the Alabama Legislature meets in 1986, this state's federal revenue sharing funds would be sunsetted at least one year prior to those of the aforementioned seven states, thereby placing an inequitable financial burden on the citizens of Alabama; and

WHEREAS, there are no less than five bills presently before Congress that would reauthorize federal revenue sharing at least through the fiscal year 1987; and

WHEREAS, the sense of the Alabama Legislature is that if federal revenue sharing is to be terminated, Congress should reauthorize the program for at least one more year while it formulates a gradual and equitable sunset plan; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That we do hereby urge Congress to take affirmative action to extend the federal revenue sharing program at least through the end of fiscal year 1987.

**BE IT FURTHER RESOLVED,** That a copy of this resolution shall be presented to the President of the United States and to each member of the Alabama Congressional Delegation.

On motion of Senator Goodwin, the Rules were suspended and the Resolution was adopted by the Senate.

**MOTIONS IN WRITING**

Senator Denton offered the following Motions in Writing, to-wit:

I move that the Bill, S. B. 25, on page 4 of the Tenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 25, referred to the Standing Committee on Rules for placement on the Consent Calendar.

I move that the Bill, S. B. 276, on page 57 of the Tenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 276, referred to the Standing Committee on Rules for placement on the Consent Calendar.

**RESOLUTIONS**

Senator Dial offered the following Senate Joint Resolution, to-wit:

S. J. R. 125. MOURNING THE DEATH OF JOHN BUNYAN TOLAND OF MILLERVILLE, ALABAMA.

WHEREAS, it is with deep sadness and regret that the Alabama Legislature records the death of John Bunyan Toland on September 8, 1985, at the age of 77 years; and

WHEREAS, a native of Clay County and former Clay County Probate Judge, elected in 1971, Judge Toland was educated at Jacksonville Normal School and at Auburn University; he was a former principal of Millerville Elementary School, a member of the Clay County Board of Education for 32 years and also had served as a 4-H teacher-advisor and as leader of Troop 209 in Millerville; and

WHEREAS, he further was a former member of the Clay County Rural Development Association and the Alabama Rehabilitation Association, and was a member of the Big Springs Baptist Church where he served as Chairman of Deacons; and

WHEREAS, Judge Toland was indeed widely known for his dedicated public service, his many outstanding civic contributions and for his innate kindness and compassion for the community and citizens he served so well; and

WHEREAS, among the numerous distinctions accorded Judge Toland was the Clay County Leadership Award in 1977, a true reflection of the honor, respect and esteem in which he was held; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of John Bunyan Toland of Millerville, Alabama, and extend deepest sympathy to his wife, Mrs. Lockie Dick Toland; sons, John B. Toland, Jr., and Dick M. Toland; to his daughters, Mrs. Mona T. Green and Mrs. Celia T. Gardner; and to other family members whose deep sorrow also is ours.

BE IT FURTHER RESOLVED, That a copy of this resolution also be forwarded to Mrs. Toland with a copy also provided for placement in the



Clay County Courthouse, Ashland, Alabama, in honor and memory of Judge Toland.

On motion of Senator Dial, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Parsons, Amari, and Bailey offered the following Senate Joint Resolution, to-wit:

S. J. R. 126. EXPRESSING LEGISLATIVE INTENT CONCERNING THE ENFORCEMENT OF THE UNCONSCIONABILITY PROVISION OF SECTION 8-8-5, CODE OF ALABAMA 1975, RELATING TO LOANS OF \$2,000.00 OR MORE.

WHEREAS, Section 8-8-5 (a) of the Code of Alabama 1975, permits lenders to assess any rate of interest for loans with an original principal balance of \$2,000.00 or more; and

WHEREAS, the only limitation on said interest rate provided in Section 8-8-5 (a) is that said interest rate shall not violate laws relating to unconscionability in consumer transactions; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it was the intent of the Legislature of Alabama that the unconscionability limitation on interest rates in Section 8-8-5 (a) be strictly construed and strictly enforced. It was the further intent of the Legislature of Alabama that interest rates on said loans which reach a level that imposes an unreasonable, unjust and inequitable burden on the borrower are prima facie unconscionable and therefor an unlawful violation of Section 8-8-5 (a).

BE IT FURTHER RESOLVED, That this Legislature hereby directs the Attorney General and the state banking department to fulfill their statutory duty by enforcing the unconscionable provision of Section 8-8-5 (a). The Attorney General is directed to use the full power of his office to represent the farmer, the unemployed, the handicapped, the poor and disadvantaged, the elderly, the widows and the other consumers of this state who have been victimized by loan sharks and disreputable lenders who are issuing loans at an unconscionable rate of interest. The Attorney General and the state banking department shall use their official capacity to the fullest extent possible to prevent the operation of these odious and discreditable lenders in this state; to prevent the foreclosure of property by said lenders and to provide a means to abate future payments required under said unlawful loan contracts.

RESOLVED FURTHER, That the Attorney General and the state banking department receive copies of this resolution so that they may know of our utmost concern regarding this matter.

On motion of Senator Parsons, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Dial offered the following Senate Joint Resolution, to-wit:

S. J. R. 127. COMMENDING DONNA BEVERLY OF ASHLAND, MISS TEEN OF ALABAMA.

WHEREAS, it is with great pride and pleasure in her accomplishments that the Alabama Legislature congratulates Donna Beverly of Ashland as our reigning Miss Teen of Alabama, a prestigious honor accorded Miss

Beverly in pageant state finals in Birmingham, with judging based on such criteria as service and achievement to school and community, scholastic achievement, poise and personality, general awareness as determined by written test, and talent competition; and

WHEREAS, an extremely talented and attractive young lady, Donna Beverly is a 16 year-old junior at Clay County High School where she is involved in numerous activities; she also is involved in a number of community affairs including the March of Dimes and activities of the First United Methodist Church of Ashland; and

WHEREAS, Miss Beverly further brought great fame and honor to the State of Alabama during recent national competition in Duluth, Minnesota, where she was awarded a diamond necklace as the winner in a category related to her contributions to the happiness of underprivileged children by producing and presenting a puppet show to students at a local school in Duluth; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Donna Beverly, Miss Teen of Alabama, both for extraordinary accomplishment and for her outstanding representation of the State of Alabama in the National Miss Teen of America pageant.

BE IT FURTHER RESOLVED, That copies of this resolution be presented to Miss Beverly and to her parents, Mr. and Mrs. Richard Beverly, that they all may know of our sincere pride in Donna and of our warmest best wishes for her every future success.

On motion of Senator Dial, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Dial then offered the following Senate Joint Resolution, to-wit:

S. J. R. 128. COMMENDING CHRISTINE GRIFFIN CALLAHAN FOR OUTSTANDING CONTRIBUTIONS TO PUBLIC EDUCATION AND THE LINEVILLE, ALABAMA, SCHOOLS.

WHEREAS, the Legislature of Alabama notes with gratitude and highest commendation, the rare and outstanding generosity of Christine Griffin Callahan to public education and the schools of Lineville, Alabama; and

WHEREAS, Mrs. Callahan is a 1936 graduate of the State Secondary Agricultural School (now Lineville High School) where she was secretary and valedictorian of her senior class; she also is a graduate of the University of Montevallo with the B. S. degree, of the University of Alabama with the Master's degree in secondary education, and has completed advanced studies at Northwestern University in Chicago; and

WHEREAS, Mrs. Callahan is a former member of the faculty at Lineville High School, 1943-1946; a former teacher at Johnston Junior High and Anniston High School, 1947-1982; and still remains active in the field of education as Chairman of the Anniston Board of Education; and

WHEREAS, in gratitude and acknowledgement of the quality education she received as a student in the public schools of Lineville, Mrs. Callahan recently donated the sum of \$20,000.00 to be used for books, publications and materials for the libraries of the Lineville High and Lineville Elementary Schools; and

WHEREAS, the generosity of Christine Griffin Callahan is an act that indeed reflects her belief in and support of public education, and the youth of Lineville will greatly reap the rewards of her unselfish and unsolicited aid on their behalf; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Christine Griffin Callahan for outstanding service to the schools, and students of thereof, in Lineville, Alabama, and direct that she receive a copy of this resolution, executed in deep appreciation, admiration and esteem.

On motion of Senator Dial, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Little and Foshee offered the following Senate Joint Resolution, to-wit:

S. J. R. 129. COMMENDING SOLON DIXON OF ANDALUSIA, ALABAMA.

WHEREAS, it is with a sense of great pride that the Alabama Legislature notes the numerous and notable civic contributions of Mr. Solon Dixon of Andalusia, Alabama; and

WHEREAS, a native of Rome, Alabama, Solon Dixon is a graduate of Lyman Ward Military Institute and Auburn University from which he graduated in 1926; for his outstanding service he was recognized by Auburn University in 1979 and awarded a Doctor's Degree and in 1980, Lurleen B. Wallace State Junior College awarded him an honorary degree; and

WHEREAS, he has continued his interest in education by assisting Lyman Ward Military Academy who named the Dixon All-Faith Chapel in his name, Lurleen B. Wallace State Junior College where he donated funds for the construction of the Martha and Solon Dixon Center for the Performing Arts, and Auburn University where he gave land and funds for the Dixon Forestry Center; and

WHEREAS, Mr. Dixon serves on the Board of Trustees of Lyman Ward Military Academy and on the Advisory Council and Foundation of Lurleen B. Wallace State Junior College; and

WHEREAS, the Andalusia Chamber of Commerce, of which he has been an active member for over 45 years, recently honored him at its annual banquet by presenting him with the much coveted Distinguished Service Award; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Mr. Solon Dixon, of Andalusia, Alabama, for outstanding professional achievement and service to the community.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to Mr. Dixon that he may know of our sincere admiration and regard.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

## MOTIONS IN WRITING

Senator Ellis offered the following Motions in Writing, to-wit:

I move that the Bill, S. B. 316, on page 37 of the Tenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 316, referred to the Standing Committee on Rules for placement on the Consent Calendar.

Senator Bedford offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 269, on page 52 of the Tenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 269, referred to the Standing Committee on Rules for placement on the Consent Calendar.

Senator Bailey offered the following Motions in Writing, to-wit:

I move that the Bill, S. B. 344, on page 44 of the Tenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 344, referred to the Standing Committee on Rules for placement on the Consent Calendar.

I move that the Bill, S. B. 235, on page 31 of the Tenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 235, referred to the Standing Committee on Rules for placement on the Consent Calendar.

Senator Aldridge offered the following Motions in Writing, to-wit:

I move that the Bill, S. B. 206, on page 19 of the Tenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 206, referred to the Standing Committee on Rules for placement on the Consent Calendar.

I move that the Bill, S. B. 214, on page 20 of the Tenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 214, referred to the Standing Committee on Rules for placement on the Consent Calendar.

Senator Covington offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 304, on page 50 of the Tenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

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Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 304, referred to the Standing Committee on Rules for placement on the Consent Calendar.

Senator Ellis offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 336, on page 50 of the Tenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 336, referred to the Standing Committee on Rules for placement on the Consent Calendar.

Senator Strong offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 184, on page 51 of the Tenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 184, referred to the Standing Committee on Rules for placement on the Consent Calendar.

Senator Strong then requested and received permission to suspend the Rules in order to offer the following Motion in Writing, to-wit:

I move that the Bill, S. B. 136, on page 37 of the Tenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 136, referred to the Standing Committee on Rules for placement on the Consent Calendar.

**RESOLUTIONS**

Senators Dixon and Langford offered the following Senate Joint Resolution, to-wit:

**S. J. R. 130. RECOGNIZING THE AMERICAN STERILIZER COMPANY (AMSCO) AND AMSCO/MONTGOMERY FOR OUTSTANDING CONTRIBUTIONS TO THE MONTGOMERY COMMUNITY AND THE STATE OF ALABAMA.**

WHEREAS, February 10, 1986, is the Tenth Anniversary celebration of the American Sterilizer Company (AMSCO) Montgomery facility and marks a decade of contributions and service to the Montgomery area and the State of Alabama; and

WHEREAS, AMSCO/Montgomery presently employs 385 people with an annual payroll of \$8 million, which is anticipated to increase in future years, and shipments in 1985 exceeded \$50 million in sales, up from \$6 million in 1976; and

WHEREAS, the phenomenal growth and success of the AMSCO/Montgomery operation is attributed by company officials to the growth and success of the facility's employees, each of whom has learned and shared new skills with their fellow employees; and

WHEREAS, AMSCO/Montgomery is a Pennsylvania-based company, founded in 1894, and is one of the leading manufacturers of hospital equipment in the United States and 60 other countries, and the Montgomery facility has taken its place in history as the manufacturer of such equipment as surgical lights and tables that were utilized during the first artificial heart implants into Barney Clark and William Shroeder; and

WHEREAS, also in Montgomery, AMSCO has an on-going teaching project with technicians from the People's Republic of China and is the sponsor of Project Orbis, a DC-8 converted into a flying Ophthalmological Surgical Center, for both actual eye surgery and for training foreign surgeons; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of outstanding contributions to Montgomery and the State of Alabama and in gratitude for service to and support of the Montgomery and state communities, we hereby most highly commend AMSCO and its Montgomery facility and direct that copies of this resolution be forwarded to the appropriate company officials.

On motion of Senator Dixon, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Dixon and Langford then offered the following Senate Joint Resolution, to-wit:

S. J. R. 131. COMMENDING THE CARVER CREATIVE AND PERFORMING ARTS CENTER, CARVER SENIOR HIGH SCHOOL, MONTGOMERY, ALABAMA.

WHEREAS, the Carver Creative and Performing Arts Center (CCPAC) at Carver Senior High School, Montgomery, Alabama, is unique among all schools in the State of Alabama; and

WHEREAS, CCPAC, which was established in 1983-84 by the Montgomery Public School System, expanded into a magnet school in 1985-86 and is funded by the Montgomery County Board of Education, assisted by the federal Magnet Schools Assistance Grant, and is supplemented by individual, corporate and community donations; and

WHEREAS, all instructors for CCPAC are highly qualified professionals, both as performers and educators, and work extensively within the community in conjunction with the various arts areas which include classical guitar, dance, mass media, theatre arts, strings, visual arts and voice; and

WHEREAS, acceptance into this outstanding program is through auditions held in the spring and late summer with occasional special auditions made available throughout the year, and participants are transported to the Center from the Montgomery area high schools; and

WHEREAS, the CCPAC program further has expanded to include Saturday sessions, affording students additional performance opportunities; and

WHEREAS, fifth and sixth grade students in thirteen elementary schools also are invited to receive instruction in classical guitar and strings and CCPAC instructors take these programs into five selected junior high schools; and

WHEREAS, a special arts diploma is awarded to those students who participate in the CCPAC program for two years, earn twenty-two units of

credit from the prescribed curriculum and pass the Alabama High School Graduation Exam; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of educational excellence and its enhancement of the arts, we hereby most highly commend the Carver Creative and Performing Arts Center at Carver Senior High School, Montgomery, Alabama, for the program's outstanding contributions to its students and the community.

BE IT FURTHER RESOLVED, That in token of our sincere appreciation of such extraordinary accomplishments, a copy of this resolution shall be forwarded to Cheryl Carter, director of CCPAC.

On motion of Senator Dixon, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Dixon offered the following Senate Resolution, to-wit:

S. R. 132. COMMENDING NATHALIE MOLTON GIBBONS OF MONTGOMERY, ALABAMA.

Which was adopted.

#### MOTION IN WRITING

Senator Parsons offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 296, on page 29 of the Tenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 296, referred to the Standing Committee on Rules for placement on the Consent Calendar.

#### BUDGET ISOLATION RESOLUTIONS

Senator Bedsole, B. I. R., S. B. 120, adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	Cooley	Hand	Parsons	
Bedford	Denton	Langford	Smith (B)	
Bedsole	Dixon	Little	Smith (J)	
Bennett	Figures	Menton	Strong	
Cabaniss	Goodwin	Mitchem		—18

Nays: —0

Senator Dixon, B. I. R., S. B. 226, adopted.

Yeas 20; Nays 0.

Yeas:

Senators:	Denton	Hilliard	Parsons	
Bedford	Dixon	Horn	Sanders	
Bedsole	Ellis	Langford	Smith (B)	
Bennett	Figures	Menton	Smith (J)	
Cabaniss	Hand	Mitchem	Strong	
Cooley				—20

Nays: —0

Senator Bedford, B. I. R., S. B. 147, adopted.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Denton	Horn	Parsons	
Bedford	Dixon	Langford	Sanders	
Bedsole	Ellis	Little	Smith (B)	
Bennett	Figures	Menton	Smith (J)	
Cabaniss	Hand	Mitchem	Strong	
Cooley	Hilliard			—21

*Nays:* —0

Senator Cooley, B. I. R., S. B. 132, adopted.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Cooley	Hilliard	Mitchem	
Bedford	Corbett	Horn	Parsons	
Bedsole	deGraffenried	Langford	Sanders	
Bennett	Figures	Little	Smith (J)	
Cabaniss	Hand	Menton	Strong	—19

*Nays:* —0

Senator Mitchem, B. I. R., S. B. 229, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cooley	Hand	Mitchem	
Bedford	Corbett	Horn	Parsons	
Bedsole	Denton	Langford	Sanders	
Bennett	Drinkard	Little	Strong	
Cabaniss	Figures	Menton		—18

*Nays:* —0

Senator Mitchem, B. I. R., S. B. 204, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cooley	Hand	Menton	
Bedford	Corbett	Hilliard	Mitchem	
Bedsole	Denton	Horn	Sanders	
Bennett	Drinkard	Langford	Strong	
Cabaniss	Figures	Little		—18

*Nays:* —0

Senator Hilliard, B. I. R., S. B. 265, adopted.



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Yeas 18; Nays 0.

*Yeas:*

Senators:	Denton	Hilliard	Parsons
Bedford	Drinkard	Horn	Sanders
Bedsole	Figures	Little	Smith (J)
Cooley	Foshee	Menton	Strong
Corbett	Hand	Mitchem	

—18

*Nays:* —0

Senator Little, B. I. R., S. B. 200, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Smith (B)
Bedsole	Denton	Hand	Smith (J)
Bishop	Dixon	Little	Strong
Cabaniss	Drinkard	Menton	Teague
Cooley	Ellis	Sanders	

—18

*Nays:* —0

**BILLS ON THIRD READING**

**THE BILL:**

S. 120. To amend Section 16-28-3, Code of Alabama, 1975, relating to ages of children required to attend school, so as to require a change in the age levels necessary to attend school from 7-16 to 6-16 years.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 1.

*Yeas:*

Senators:	Cooley	Foshee	Sanders
Bedford	Corbett	Hand	Smith (B)
Bedsole	Denton	Hilliard	Smith (J)
Bishop	Dixon	Little	Teague
Cabaniss	Drinkard	Menton	

—18

*Nay:* Senator Ellis —1

**THE BILL:**

S. 226. To amend Section 13A-7-23.1 of the Code of Alabama 1975 relating to criminal offenses involving desecration of tombs and gravestones, so as to provide further for such offenses.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Parsons
Bedford	Corbett	Hand	Sanders
Bedsole	Denton	Hilliard	Smith (B)
Bennett	Dixon	Horn	Smith (J)
Bishop	Drinkard	Little	Strong
Cabaniss	Ellis	Menton	Teague

—23

Nays:

—0

## THE BILL:

S. 147. To establish a condemnation law of the State of Alabama for vehicles and equipment used in setting woodland or grassland fires and to further set forth a procedure whereby vehicles and equipment used in connection with such unlawful acts be condemned by appropriate authorities and the same sold or awarded by court order to the State Forester for use or resale in enforcement of Code of Ala.(1975), Sec. 9-13-11(a)(1).

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Bedford	Corbett	Goodwin	Parsons
Bedsole	Denton	Hilliard	Smith (B)
Bennett	Dixon	Horn	Smith (J)
Bishop	Drinkard	Little	Teague
Cabaniss	Ellis		

—21

Nays:

—0

## THE BILL:

S. 132. To further regulate and control alcoholic beverage transactions in wet counties and municipalities in Alabama under the control and supervision of the alcoholic beverage control board; to provide uniform definitions applicable to Chapter 3, Title 28, Code of Alabama 1975, and to the Alcoholic Beverage Licensing Code, being Act No. 80-529, Acts of Alabama 1980, as amended, appearing as Chapter 3A, Title 28, Code of Alabama 1975, as amended, and to the Alabama Table Wine Act, being Act 80-382, Acts of Alabama 1980, as amended, appearing as Chapter 7, Title 28, Code of Alabama 1975, as amended; and to repeal all laws or parts of laws in conflict herewith.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Menton
Bedford	Denton	Goodwin	Parsons
Bedsole	Dixon	Hilliard	Smith (B)
Bishop	Drinkard	Horn	Smith (J)
Cabaniss	Ellis	Little	Teague
Cooley			

—20

Nays:

—0

REGULAR SESSION  
10th Day

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Senator Little requested and received permission to suspend the Rules in order to bring up out of order the Bill:

S. 200. To provide that employees of the Alabama Film Commission shall be unclassified employees and to allow such employees to be covered as members of the state employees' retirement system and the state employees' health insurance plan, and to provide certain retroactive effect.

And said Bill, S. B. 200, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Menton
Bedsole	Dixon	Hand	Parsons
Bishop	Drinkard	Hilliard	Smith (B)
Cabaniss	Ellis	Horn	Smith (J)
Cooley	Foshee	Little	Teague
Corbett			

—20

*Nays:* —0

**MOTION IN WRITING**

Senator Corbett requested and received permission to suspend the Rules in order to offer the following Motions in Writing, to-wit:

I move that the Bill, S. B. 106, on page 7 of the Tenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 106, referred to the Standing Committee on Rules for placement on the Consent Calendar.

I move that the Bill, S. B. 341, on page 36 of the Tenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 341, referred to the Standing Committee on Rules for placement on the Consent Calendar.

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 229. To make a supplemental appropriation from the general fund of the state treasury to the Alabama Manufactured Housing Commission for the current fiscal year.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 1.

Yeas:

Senators:	Cooley	Foshee	Parsons	
Bailey	Corbett	Hand	Smith (B)	
Bedford	deGraffenried	Hilliard	Smith (J)	
Bedsole	Denton	Horn	Strong	
Bishop	Drinkard	Menton	Teague	—19
Nay: Senator Cabaniss				—1

**MOTION IN WRITING**

Senator Bedsole requested and received permission to suspend the Rules in order to offer the following Motion in Writing, to-wit:

I move that the Bill, S. B. 29, on page 14 of the Tenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 29, referred to the Standing Committee on Rules for placement on the Consent Calendar.

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 204. To amend Section 3 of the amendment to the Constitution of Alabama of 1901 proposed by Act No. 85-79, H. 6, of the 1985 First Special Session, which provides for a permanent trust fund known as "The Alabama Trust Fund" with certain moneys derived by the state from the sale, leasing or other disposition of its rights in certain offshore oil, gas and other hydrocarbon minerals, so as to provide further for the membership of the board of trustees of such trust fund.

was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Senators:	Cooley	Hilliard	Parsons	
Aldridge	Corbett	Holmes	Smith (B)	
Bailey	deGraffenried	Horn	Smith (J)	
Bedford	Dixon	Langford	Strong	
Bedsole	Drinkard	Mitchem	Teague	—21
Cabaniss	Hand			—0
Nays:				

**MOTIONS IN WRITING**

Senator Smith (J) requested and received permission to suspend the Rules in order to offer the following Motions in Writing, to-wit:

I move that the Bill, S. B. 98, on page 48 of the 10th Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 98, referred to the Standing Committee on Rules for placement on the Consent Calendar.

I move that the Bill, S. B. 97 on page 48 of the Tenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 97, referred to the Standing Committee on Rules for placement on the Consent Calendar.

### BILLS ON THIRD READING RESUMED

#### THE BILL:

S. 265. To amend section 11-81-11, Code of Alabama 1975, so as to authorize county and municipal governments to sell their bonds by negotiated process if the governing body shall find that such process is desirable to gain the lowest net interest cost.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 1.

Yeas:

Senators:	Dixon	Hand	Mitchem
Bailey	Drinkard	Hilliard	Smith (B)
Bedsole	Figures	Horn	Smith (J)
Bennett	Foshee	Langford	Strong
Cooley	Goodwin	Menton	Teague
Corbett			

—20

Nay: Senator Cabaniss —1

### ADJOURNMENT

At 1:35 P.M., on motion of Senator deGraffenried, pending further consideration of the Dixon substitute Motion in Writing for the Cabaniss Motion in Writing for B. I. R., S. B. 170, upon reaching the order of business of Report of Standing Committees, Rules Committee Report, the Senate adjourned until Tuesday, February 18, 1986, at 2:06 P.M.

**ELEVENTH LEGISLATIVE DAY  
TUESDAY, FEBRUARY 18, 1986**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

**PRAYER**

The Session was opened with prayer by Mr. Larry Morrison, Minister of Education and Youth, Normandale Baptist Church, Montgomery, Alabama.

**PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by William Nicrosi, II, Jefferson Davis High School, Montgomery, Alabama.

**ROLL CALL**

Present:

Senators:	Cooley	Foshee	Menton
Aldridge	Corbett	Goodwin	Mitchem
Amari	Covington	Hand	Parsons
Bailey	deGraffenried	Hilliard	Sanders
Bedford	Denton	Holmes	Smith (B)
Bedsole	Dial	Horn	Smith (J)
Bennett	Drinkard	Langford	Strong
Bishop	Ellis	Little	Teague
Cabaniss	Figures		

—33

**JOURNAL**

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Tenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

**COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Tenth Legislative Day was approved by the Senate.

**LEAVE OF ABSENCE**

On motion of Senator deGraffenried, leave of absence was granted Senators Barron and Dixon for today.

REGULAR SESSION  
11th Day

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SUNSET LAW

Senator Bedsole moved that the Senate suspend the provisions of the Sunset Law to permit introduction of Bills, Motions, and Resolutions, for the Eleventh Legislative Day.

On motion of Senator Holmes, said motion was laid on the table.

Yeas 16; Nays 7.

Yeas:

Senators:	Corbett	Holmes	Menton	
Aldridge	Denton	Horn	Parsons	
Bennett	Drinkard	Langford	Smith (J)	
Bishop	Goodwin	Little	Strong	
Cooley				—16

Nays:

Senators:	Bedsole	Dial	Foshee	
Bedford	Cabaniss	Ellis	Smith (B)	—7

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 133. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the eleventh legislative day of the 1986 Regular Session only:

Inst Id	Page
S. 445	57
Surface Mining Commission, re-appointed, new rules adopted, legis. oversight committee estab., tax on coal mines, qualifications of director, Secs. 9-16-73, 9-16-74, 9-16-85, 9-16-88, 9-16-103 am'd.	
S. 48	1
Heating and Air Conditioning Bd., sunset law review, cont., grandfather clause extended, bd. auth. to adopt rules re repair contractors, Secs. 34-31-21, 34-31-28 am'd.	
S. 49	1
Bd. of Registration for St. Foresters, sunset law review, cont., fees incr., Alabama chapter renamed Alabama Division, bd. membs. comp. incr., bonding of cert. personnel req., Secs. 34-12-5, 34-12-6, 34-12-8, 34-12-9, 34-12-30, 34-12-32, 34-12-36 am'd.	
S. 50	2
Bd. of Dental Examiners, sunset law review, cont.	
S. 51	2
Oil and Gas Bd., sunset law review, cont.	

S. 55

3

General Contractors Bd., sunset law review, cont., licenses and meetings alt., Secs. 34-8-2, 34-8-27 am'd.

S. 56

3

Radiation Control Agency and Radiation Advisory Bd., sunset law review, cont.

On motion of Senator Bishop, the Resolution was adopted by the Senate.

### BUDGET ISOLATION RESOLUTIONS

Senator Corbett, B. I. R., S. B. 445, adopted.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Little	
Bailey	Corbett	Hand	Parsons	
Bennett	deGraffenried	Hilliard	Smith (B)	
Bishop	Denton	Holmes	Smith (J)	
Cabaniss	Ellis	Horn	Strong	—19

*Nays:*

—0

Senator Corbett, B. I. R., S. B. 48, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Little	
Bedsole	Corbett	Hand	Parsons	
Bennett	deGraffenried	Hilliard	Smith (B)	
Bishop	Ellis	Holmes	Strong	
Cabaniss	Foshee	Langford		—18

*Nays:*

—0

### SPECIAL ORDER

#### BILLS ON THIRD READING

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

S. 445. Relating to the Alabama Sunset Law; to continue until October 1, 1987, the existence and functioning of the Alabama Surface Mining Commission as provided in Sections 9-16-70 through 9-16-107, except Section 9-16-75 which is specifically repealed, of the Code of Alabama 1975, with certain modifications; to amend Sections 9-16-73, 9-16-74, 9-16-78, 9-16-85, 9-16-88 and 9-16-103, Code of Alabama 1975, so as to provide that the rules and regulations of the commission shall not be more stringent than those promulgated by federal statute, rule or regulation; to create a legislative oversight committee and to provide for the duties, composition, meetings and compensation of members of the committee; to require the director of the commission to have knowledge of state and federal surface mining laws, rules and regulations; to provide for a technical assistant for the commission



and to provide for his duties and salary; to require fines levied by the commission to be paid to the state general fund; to require permits and licenses to be issued more promptly; to provide that fines are not due until all appeals have been finally adjudicated; and to specifically repeal Section 9-16-75, of the Code of Alabama 1975, and all rules and regulations promulgated pursuant to said section. It is further provided that the commission shall be reviewed by the Sunset Committee in the interim between the 1986 and 1987 Regular Legislative Sessions and that said commission shall be terminated effective October 1, 1987, unless a Sunset bill passes at the 1987 Regular Session to continue the commission.

On motion of Senator Corbett, further consideration of the Bill, S. B. 445, was postponed subject to the call of the Chair.

**THE BILL:**

S. 48. Relating to the Alabama Sunset Law; to continue the existence and functioning of the board of heating and air conditioning contractors as provided in Sections 34-31-18 through 34-31-34 of the Code of Alabama 1975; with certain modifications; to amend Sections 34-31-21 and 34-31-28, so as to provide further for persons who may be certified without having to be examined by the board; and to authorize the board to adopt minimum repair and service standards or criteria for its registered contractors; and to provide for misdemeanor penalty for noncompliance.

was taken up.

Senator Strong offered the following amendment to the Bill, S. B. 48, to-wit:

**AMENDMENT TO S. B. 48**

Amend S. 48, the title, page 1, line 22, after the word "Section" by inserting the following figures: 34-31-18,

Also, on page 2, line 8, after the word "Section" amend by inserting the following figures: 34-31-18,

Also, on page 2, Section 3, between lines 9 and 10, amend by inserting the following:

"§34-31-18.

"For the purposes of this chapter, the following terms shall have the meanings herein ascribed to them unless the context clearly indicates otherwise:

"(1) **CERTIFIED CONTRACTOR.** Any individual or any regularly employed person for any partnership or corporation who for hire is engaged in the installation of heating and air conditioning systems; provided that nothing in this chapter shall apply to retail sellers of heating and air conditioning systems who do not install said systems themselves.

"(2) **REGISTERED CONTRACTOR.** Any contractor who for hire is engaged exclusively in the service and repair of heating and air conditioning systems who does not install said system.

"(3) **INSTALLATION.** The act of setting up or installing a heating and air conditioning system for operation and use.

“(4) SERVICE AND REPAIR. The act of maintaining for operation a heating and air conditioning system which has previously been installed including parts replacement within a piece of equipment.

“(5) BOARD. The state board of heating and air conditioning contractors, herein established.

“(6) HEATING AND AIR CONDITIONING SYSTEMS, or SYSTEM. A heating and/or cooling apparatus consisting of an air heating and/or cooling fixture from pipes, plenums or blowers including any accessory and equipment installed in connection herewith; specifically excluding window units, automotive or farm implement type heating and/or air conditioning equipment; and LP-gas components and/or portions of LP-gas heating and air conditioning systems, or system.

“(7) ADMINISTRATIVE PROCEDURES LAW. Section 41-22-1 through 41-22-27, and any subsequent amendment or supplements thereto, and any rules or regulations promulgated thereto.

“(8) RESPONSIBLE CHARGE. The direction of projects involving the installation or service and repair of heating and air conditioning systems requiring initiation, professional skills, technical knowledge and independent judgement.

Senator Corbett moved that said amendment be laid on the table.

On motion of Senator Corbett, further consideration of the Bill, S. B. 48, and pending amendment, was postponed subject to the call of the Chair.

#### **FURTHER CONSIDERATION OF S. B. 445**

The Senate proceeded to further consideration of the Bill, S. B. 445.

Senator Cooley offered the following substitute for the Bill, S. B. 445, to-wit:

#### **SUBSTITUTE FOR S. B. 445**

##### **A BILL TO BE ENTITLED AN ACT**

Relating to the Alabama Sunset Law; to continue until October 1, 1987, the existence and functioning of the Alabama Surface Mining Commission as provided in Sections 9-16-70 through 9-16-107, to amend Sections 9-16-73, 9-16-74, 9-16-78, 9-16-85, and 9-16-88, Code of Alabama 1975 so as to provide that the rules and regulations of the commission shall not be more stringent than those promulgated by federal statute, rule or regulation; to create a legislative oversight committee and to provide for the duties, composition, meetings and compensation of members of the committee; to require the director of the commission to have knowledge of state and federal surface mining laws, rules and regulations; to provide for a technical assistant for the commission and to provide for his duties and salary; to require permits and licenses to be issued more promptly; It is further provided that the commission shall be reviewed by the Sunset Committee in the interim between the 1986 and 1987 Regular Legislative Sessions and that said commission shall be terminated effective October 1, 1987, unless a Sunset bill passes at the 1987 Regular Session to continue the commission.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. It is declared that pursuant to the Alabama Sunset Law, Sections 41-20-1 through 41-20-16, Code of Alabama 1975, as amended, the Sunset Committee entered upon its duties and recommends the continuance of the Alabama Surface Mining Commission until October 1, 1987, created and functioning pursuant to Sections 9-16-70 through 9-16-107, Code of Alabama 1975, with the additional recommendation for statutory changes of the commission as set out in Section 3 hereof.

Section 2. The existence and functioning of the Alabama Surface Mining Commission, created pursuant to Sections 9-16-70 through 9-16-107 of the Code of Alabama 1975 are hereby continued, until October 1, 1987, and such Code sections are hereby expressly continued. It is further provided that the commission shall be reviewed by the Sunset Committee in the interim between the 1986 and 1987 Regular Legislative Sessions and that said commission shall be terminated effective October 1, 1987, unless a Sunset bill passes at the 1987 Regular Session to continue the commission.

Section 3. Sections 9-16-73, 9-16-74, 9-16-78, 9-16-85, 9-16-88, Code of Alabama 1975, are hereby amended to read as follows:

“§9-16-73.

“(a) There is hereby continued as previously established the Alabama Surface Mining Reclamation Commission under the name of the Alabama Surface Mining Commission for the purpose of transition in implementing and enforcing this Article and carrying out the intent and policy stated in section 9-16-71 hereof. All members of the commission appointed under authority of section 9-16-33, shall continue their terms as created under that section until all reappointments and filling of vacancies have been filled in the manner as herein set out. At the expiration of any term, that member shall continue in office until an appointment occurs as herein set out.

“(b) The commission shall be composed of seven members, who are fair and reasonable citizens of the state, appointed by the governor, with the advice and consent of the senate. The governor shall initially appoint two members of the commission for a term of five years, two members for four years, two members for three years, and one member for two years. All members appointed subsequently shall be appointed for terms of five years.

“(1) One commission member shall be appointed from one of the three counties in Alabama which produce the greatest number of tons of surface mined coal, as indicated by the records of the State of Alabama in the complete fiscal year immediately preceding that appointment; and two commission members shall be appointed from any of the coal-producing counties in Alabama, as indicated by the records of the State of Alabama in the complete fiscal year immediately preceding that appointment. One commission member shall be appointed state at large.

“(2) One of the appointees to the commission shall be a professional forester duly registered pursuant to the laws of the State of Alabama with not less than 10 years' experience in professional forestry. One of the appointees to the commission shall be a professional civil or mining engineer duly registered pursuant to the laws of the State of Alabama with not less than 10 years' experience in professional engineering in surface mining or technologically related fields. One appointee to the commission shall be an attorney duly licensed to practice law in the state of Alabama having not less than 10 years' experience in the active practice of law, the majority of

whose years in practice shall have been in one of the three counties in Alabama which produced the greatest number of tons of surface mined coal as indicated by the records of the State of Alabama in the complete fiscal year immediately preceding that appointment.

“(c) Within 10 days of nomination by the governor, each nominee shall file with the secretary of the senate a verified statement setting forth the following information: The names of all coal companies from whom such nominee has received any income of any sort during the 10 years immediately preceding such nomination; the name or names of all coal companies in which the nominee is or in the 10 years immediately preceding such nomination has been an officer, director, stockholder or partner; and all the names of all organizations, clubs and associations of which the nominee is or in the 10 years immediately preceding such nomination has been a member. No commission member may have a direct or indirect financial interest in underground or surface coal mining operations, and may not participate in any proceeding conducted pursuant to section 9-16-79 in which the commission member is an employee, officer, director, shareholder or partner or where any organization, club or association of which the commission member is a member, officer, agent, director or employee instigated the proceeding, is a defendant, or has any other direct interest in the outcome of the proceeding, other than as a member of commission.

“(d) The commission shall annually elect from among its members a chairman, a vice-chairman and such other officers as necessary to fulfill its duties. In the event of a vacancy among the commissioners, the governor shall, within 90 days of being notified of such vacancy, make an appointment to such vacancy, which appointment shall be subject to the advice and consent of the senate at the next regular or special session of the legislature; in the event such appointee is confirmed, his term shall be for the balance of the vacancy so filled.

“(e) The commission shall appoint a director of the Alabama surface mining commission, who must have a working knowledge of the federal and state surface mining statutes, rules and regulations, and shall fix his compensation. The commission may appoint a deputy director as an unclassified position and the compensation of such deputy director shall be fixed by the commission subject to provisions of the state merit system. The director shall be the chief operating officer of the commission and shall be charged with exercising such powers, duties and functions as may be conferred upon him by the commission or this Article, except the director shall not have the power to promulgate, modify, suspend or repeal any standards, rules or regulations provided for or authorized under this Article. The director is authorized, subject to the approval of the commission, to create such divisions of his office as may be necessary to carry out its functions and may employ professional, technical, legal or clerical personnel as may be necessary to carry out the duties and functions of the commission. He may also, with the approval of the commission, contract with private persons, firms or corporations to provide professional or technical assistance or consultant services to assist his office in carrying out the purposes of this Article.

“(f) The members of said commission shall receive as compensation \$75.00 per day for each day of official business as approved and validated by the chairman. The chairman shall receive \$100.00 per day for each full day he is occupied with business of the commission. The chairman is hereby authorized to approve and certify expenses of every member of the commission for reimbursement pursuant to Article 2, Chapter 7 of Title 36.

"(g) Five members of the commission shall constitute a quorum and recusal of a member shall not affect the quorum. The commission shall keep a complete and accurate record of all its meetings, a copy of which shall be kept on file in the office of the commission and open to public inspection. The commission shall meet at least once every 30 days, or at such more frequent occasions as the governor, the chairman or director determine a session is necessary to fulfill its duties and obligations.

"(h) The commission shall establish and maintain its principal office in ~~one of the three counties in Alabama which produced the greatest number of tons of surface mined coal as indicated by the records of the state of Alabama~~ Jasper, Alabama, and establish and maintain such field offices in other coal producing counties as it may consider necessary for the proper discharge of its duties.

"(i) Funds which are or may become available from any source, appropriations, or otherwise, to accomplish the purposes of this Article shall be disbursed by the commission or by the director in accordance with rules prescribed by the commission.

"(j) The governor may remove any member of the commission from office for neglect of duty, malfeasance, or misfeasance, after unanimous consent and agreement by the lieutenant governor, speaker of the house of representatives and attorney general of Alabama, by delivering to the member the charges against him in writing with at least 10 days' written notice of the time and place at which the governor will publicly hear the member, who may appear either in person or by counsel, in defense of the charges against him. If the member is removed from office, the governor shall file with the secretary of state a complete statement of the charges made against the member and a complete report of the proceedings. The action of the governor removing a member from office is final.

"(k) A Subcommittee of the Legislative Sunset Committee to be known as the Legislative Surface Mining Oversight Committee is hereby created. The committee shall be composed of eight (8) members of the legislature, four (4) senate members of the Sunset Committee appointed by the lieutenant governor and four (4) house members of the Sunset Committee appointed by the speaker of the house. The committee shall select a chairman and such other officers as it deems necessary, and shall meet at such times and places as the chairman may call. Members of the committee shall receive their normal legislative compensation, allowances and per diem for each day they meet to conduct business when the legislature is not in session. The committee shall be consulted on all proposed revisions of the commission's rules and regulations.

"(l) The commission shall appoint a technical assistant to serve as a liaison between the commission and the oversight committee. The commission shall set the salary of and provide for the duties of the technical assistant, who shall serve at the pleasure of the commission."

"§9-16-74.

"In addition to any other powers conferred on it by law, the commission shall have the power to:

"(1) Adopt, amend, suspend, repeal and enforce reasonably necessary rules and regulations, provided such rules and regulations shall not be more stringent than those promulgated by federal law, or rule or regulation, to control surface coal mining operations consistent with this Article including

the declaration of public policy and legislative intent contained in section 9-16-71. Such rules and regulations may be for the state as a whole or may vary from area to area, as may be appropriate to accomplish the policy and intent of this article and in order to take into account varying local conditions.

“(2) Hold public hearings as may be specified by law relating to any aspect or matter in the administration of this Article and, in connection therewith, administer oaths, compel the attendance of witnesses and the production of evidence. In the event of failure of any person to comply with any subpoena lawfully issued, or on the refusal of any witness to produce evidence or to testify as to any matter regarding which he may be lawfully interrogated, it shall be the duty of any court of competent jurisdiction, upon the application of the commission, to compel obedience by proceedings for contempt as if the disobedience occurred in such court;

“(3) Issue such orders as may be necessary to effectuate the purposes of this Article and enforce the same through appropriate administrative and judicial proceedings;

“(4) Promulgate and enforce rules, regulations and standards requiring the training, examination and certification of persons engaging in or directly responsible for the use of explosives for the purpose of blasting in surface coal mining;

“(5) Secure through its director necessary scientific, technical, administrative and operational services, including laboratory facilities by contract or otherwise;

“(6) Encourage voluntary cooperation by persons and groups to achieve the purposes of this Article;

“(7) Encourage and conduct through its director and staff studies, investigations and research relating to surface mining reclamation;

“(8) Establish and enforce coal surface mining reclamation standards for the state which may vary according to appropriate areas, provided they are not inconsistent with this Article and the declaration of public policy and legislative intent contained in section 9-16-71;

“(9) Collect and disseminate information and conduct educational and training programs relating to surface coal mining and reclamation of land;

“(10) Advise, consult, contract and cooperate with other agencies of the state, local governments, industries, other states, interstate agencies and the federal government and with interested persons or groups, especially, but not limited to achieve one-stop permitting for surface coal mining operations and to transfer funds to carry out reclamation activities;

“(11) Consult, upon request, with any person proposing to construct, install or otherwise acquire a surface coal mine, concerning the efficacy of construction, installation or acquisition of such surface mine. Nothing in any such consultation shall be construed to relieve any person from compliance with this Article, rules and regulations in force pursuant thereto or any other provision of law;

“(12) Accept, receive and administer grants or other funds or gifts from public and private agencies, including the federal government, for the purpose of carrying out any of the functions of this Article. Funds received by the regulatory authority pursuant to this section shall be deposited in the state treasury to the account of the Alabama Surface Mining Fund;

“(13) Employ personnel and consultants, purchase such equipment and supplies and lease or otherwise acquire through its director such property as may be necessary for the administration of this Article. Subject to any applicable restrictions contained in law, any department or agency of the state may, from its available resources, provide the regulatory authority with personnel and services, with or without charge, and the regulatory authority may compensate other agencies for services;

“(14) Provide for the performance by its director, deputy director or staff and employees in the name of the commission, of any act or duty authorized by and consistent with administration of this Article, except for the promulgation, modification, suspension or repeal of standards, rules and regulations;

“(15) Perform other acts and duties consistent with the provisions of this Article as may be necessary to implement the declaration of public policy and legislative intent contained in section 9-16-71;

“(16) Provide for the establishment of advisory committees, appointment and adequate compensation for membership of said committees, scope of study and other duties, periods of duration and terms of advisory members;

“(17) Issue, modify or revoke orders prohibiting actions which violate this Article or the rules, regulations or standards promulgated pursuant to this Article and require affirmative action to bring any surface coal mining operation into compliance with this Article;

“(18) Issue, continue in effect, revoke, modify or deny permits through its director and staff for the conduct of surface coal mining operations or explorations which are subject to this Article;

“(19) Issue warnings and initiate civil or criminal actions through its director and staff as provided for in this Article;

“(20) Acquire and maintain workman's compensation insurance in the amount prescribed by the workman's compensation laws of Alabama and such general liability insurance as may be reasonably necessary to assure adequate protection of the commission, its director, employees and agents for lawful acts by them during the course of enforcing and administering this Article;

“(21) a. Enforce the provisions of the state program, approved pursuant to section 503 of the Federal Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, 30 U.S.C. 1200.

“b. The commission shall make every effort to obtain full reimbursement from the Director of the Office of Surface Mining Reclamation and Enforcement for the costs of performing its duties under paragraph (21)a. hereof.

“c. If P.L. 95-87 or any rules or regulations promulgated thereunder or the federal laws it amends are adjudged unconstitutional or invalid in their application, or stayed pending litigation in any court of competent jurisdiction over surface coal mining operations in Alabama, the Alabama Surface Mining Commission shall suspend the enforcement of this Article to the extent of such adjudication, unconstitutionality, inapplicability or stay.

“d. If any of the commission's rules or regulations are adjudged unconstitutional or invalid in their application, or stayed pending litigation

in any court of competent jurisdiction, the Alabama Surface Mining Commission shall have the power to enforce any valid, constitutional and analogous provision of the rules and regulations promulgated under P.L. 95-87.

"e. The state of Alabama, by any provision, part or all of this Article, does not waive any rights and powers reserved to it by the tenth amendment to the Constitution of the United States, and this subdivision (21) shall not be interpreted so as to prevent the state of Alabama from protecting any and all of its rights and governmental powers through any legal action as might be determined by duly constituted officials of the state of Alabama.

"(22) No commission member, employee of the commission, or any other state employee performing any function or duties under this Article shall have a direct or indirect financial interest in underground or surface coal mining operations. Whoever knowingly violates the provisions of the above sentence shall, upon conviction, be punished by a fine of not more than \$2,500.00, or by imprisonment for not more than one year, or both."

"§9-16-78.

"(a) No hearing officer shall participate in a hearing if he has an interest therein. At any such hearing all testimony shall be given under oath and be recorded, but need not be transcribed unless an appeal is made.

"(b) The manner in which hearings before hearing officers shall be presented and the conduct of hearings and appeals before hearing officers shall be in accordance with regulations prescribed by the regulatory authority.

"(c) In the discharge of their duties under this Article, any hearing officer shall have power to administer oaths, certify to official acts, take and cause to be taken depositions of witnesses, issue and serve subpoenas, compel the attendance of witnesses and the production of papers, books, accounts, payrolls, documents, records and testimony, provide for site inspections or inspections of other operations. In the event of failure of any person to comply with any subpoena lawfully issued, or on the refusal of any witness to produce evidence or to testify as to any matter regarding which he may be lawfully interrogated, it shall be the duty of any court of competent jurisdiction or of the judge thereof, upon the application of the hearing officer in the name of the Alabama Surface Mining Commission to compel obedience by proceedings for contempt. Witness fees and other expenses involved in the proceedings under this Article shall be paid to the extent necessary at rates specified by the director. Such expenses shall be deemed a part of the expense of administering this chapter.

"(d) Hearing Officers' offices and facilities for the holding and conducting of hearing shall be located in a facility completely separate from the facility in which the commission is located. There shall be no ex parte communications of any kind relating to commission business, or proposed or pending cases, by or with any Hearing Officer by any party or representative of any party, or by any employee or representative of the commission.

"§9-16-85.

"(a) Upon the basis of a complete mining application and reclamation plan or a revision or renewal thereof, as required by this Article, following public notification and opportunity for a public hearing as required by section 9-16-88, the regulatory authority shall grant, require modification of, or deny the permit within ~~60~~ 30 days and notify the applicant in writing of its



action. The applicant for a permit, or revision of a permit, shall have the burden of establishing that his application is in compliance with all the requirements of this Article. Within ten days after the granting of a permit, the regulatory authority shall notify the local governmental officials in the local political subdivision in which the area of land to be affected is located that a permit has been issued and shall describe the location of the land.

“(b) No permit or revision application shall be approved unless the application affirmatively demonstrates and the regulatory authority finds in writing on the basis of the information set forth in the application or from information otherwise available which will be documented in the approval and made available to the applicant, that:

“(1) The permit application is accurate and complete and that all the requirements of this Article have been complied with;

“(2) The applicant has demonstrated that reclamation as required by this Article can be accomplished under the reclamation plan contained in the permit application;

“(3) The assessment of the probable cumulative impact of all anticipated mining in the area on the hydrologic balance specified in section 9-16-83(b) has been made by the regulatory authority and the proposed operation thereof has been designed to prevent material damage to hydrologic balance outside the permit area;

“(4) The area proposed to be mined is not included within an area designated unsuitable for surface coal mining pursuant to section 9-16-96 or is not within an area under study for such designation in an administrative proceeding commenced pursuant to section 9-16-96(a) (4)c or section 9-16-96(b) (unless in such an area as to which an administrative proceeding has commenced pursuant to section 9-16-96(a) (4)c, the operator making the permit application demonstrates that, prior to January 1, 1977, he has made substantial legal and financial commitments in relation to the operation for which he is applying for a permit);

“(5) In cases where the private mineral estate has been severed from the private surface estate, the applicant has submitted to the regulatory authority:

“a. The written consent of the surface owner to the extraction of coal by surface mining methods; or

“b. A conveyance that expressly grants or reserves the right to extract the coal by surface mining methods; or

“c. If the conveyance does not expressly grant the right to extract coal by surface mining methods, the surface-subsurface legal relationship shall be determined in accordance with state law; provided, that nothing in this Article shall be construed to authorize the regulatory authority to adjudicate property right disputes.

“(c) The applicant shall file with his permit application a schedule listing any and all notices of violations of this Article and any law, rule, or regulation of the United States, or of any department or agency in the United States pertaining to air or water environmental protection incurred by the applicant in connection with any surface coal mining operation during the three-year period prior to the date of application. The schedule shall also indicate the final resolution of any such notice of violation. Where the

schedule or other information available to the regulatory authority indicates that any surface coal mining operation owned or controlled by the applicant is currently in violation of this Article or such other laws referred to in this subsection, the permit shall not be issued until the applicant submits proof that such violation has been corrected or is in the process of being corrected to the satisfaction of the regulatory authority, department, or agency which has jurisdiction over such violation and no permit shall be issued to an applicant after a finding by the regulatory authority, after opportunity for hearing, that the applicant, or the operator specified in the application, controls or has controlled mining operations with a demonstrated pattern of willful violations of this Article of such nature and duration with such resulting irreparable damage to the environment as to indicate an intent not to comply with the provision of this Article.

“(d) (1) In addition to finding the application in compliance with subsection (b) of this section, if the area proposed to be mined contains prime farm land identified as such pursuant to section 9-16-83(b), the regulatory authority shall, after consultation with the Secretary of Agriculture and pursuant to regulations issued by the Secretary of Interior with the concurrence of the Secretary of Agriculture, grant a permit to mine on prime farm land if the regulatory authority finds in writing that the operator has the technological capability to restore such mined area within a reasonable time, to equivalent or higher levels of yield as non-mined prime farm land in the surrounding area under equivalent levels of management and can meet the soil reconstruction standards of section 9-16-90(b)(7). Except for compliance with subsection (b) of this section, the requirement of this subdivision shall apply to all permits issued after the date of August 3, 1977.

“(2) Nothing in this subsection shall apply to any permit issued prior to August 3, 1977, or to any revisions or renewals thereof, or any existing surface mining operations for which a permit was issued prior to the date of August 3, 1977.”

“§9-16-88.

“(a) At the time of submission of an application for a surface coal mining and reclamation permit, or revision of an existing permit, pursuant to the provisions of this Article, the applicant shall submit to the regulatory authority a copy of his advertisement of the ownership, precise location, and boundaries of the land to be affected. At the time of submission such advertisement shall be placed by the applicant in a local newspaper of general circulation in the locality of the proposed surface mine at least once a week for four consecutive weeks. The regulatory authority shall notify various local governmental bodies, planning agencies, and sewage and water treatment authorities or water companies in the locality in which the proposed surface mining will take place, notifying them of the operator's intention to surface mine a particularly described tract of land and indicating the application's permit number and where a copy of the proposed mining and reclamation plan may be inspected. These local bodies, agencies, authorities or companies may submit written comments within a reasonable period established by the regulatory authority on the mining applications with respect to the effect of the proposed operation on the environment which are within their area of responsibility. Such comments shall immediately be transmitted to the applicant by the regulatory authority and shall be made available to the public at the same locations as are the mining application.

“(b) Any person having an interest which is or may be adversely affected or the officer or head of any federal, state or local governmental agency or

authority shall have the right to file written objections to the proposed initial or revised application for a permit for surface coal mining and reclamation operation with the regulatory authority within 30 days after the last publication of the above notice. Such objections shall immediately be transmitted to the applicant by the regulatory authority and shall be made available to the public. If written objections are filed and an informal conference requested, the regulatory authority shall then hold an informal conference in the locality of the proposed mining if requested within a reasonable time of the receipt of such objections or request. The date, time and location of such informal conference shall be advertised by the regulatory authority in a newspaper of general circulation in the locality at least two weeks prior to the scheduled conference date. The regulatory authority may arrange with the applicant upon request by any party to the administrative proceeding access to the proposed mining area for the purpose of gathering information relevant to the proceeding. An electronic or stenographic record shall be made of the conference proceeding unless waived by all parties. Such record shall be maintained and shall be accessible to the parties until final release of the applicant's performance bond. In the event all parties requesting an informal conference stipulate agreement prior to the requested informal conference and withdraw their request, such informal conference need not be held.

“(c) If an informal conference has been held pursuant to subsection (b) of this section, the regulatory authority shall issue and furnish the applicant for a permit and persons who are parties to the administrative proceedings with the written finding of the regulatory authority granting or denying the permit in whole or in part and stating the reasons therefor within the ~~60~~ 30 days of said hearings.

“(d) If there has been no informal conference held pursuant to subsection (b) of this section, the regulatory authority shall notify the applicant for a permit within a reasonable time as determined by the regulatory authority and set forth in regulations, taking into account the time needed for proper investigation of the site, the complexity of the permit application, and whether or not written objection to the application has been filed, whether the application has been approved or disapproved in whole or in part.

“(e) If the application is approved, the permit shall be issued. If the application is disapproved, specific reasons therefor must be set forth in the notification. Within 30 days after the applicant is notified of the final decision of the regulatory authority on the permit application, the applicant or any person with an interest which is or may be adversely affected may request a hearing before a hearing officer on the final decision of the regulatory authority. The hearing officer shall hold a hearing within 30 days of such request and provide notification to all interested parties at the time that the applicant is so notified. Such hearing shall be conducted pursuant to sections 9-16-78 and 9-16-79, and a decision shall be rendered within ~~30~~ 15 days after the hearing.

“(f) Where a hearing is requested pursuant to subsection (e) of this section, the hearing officer may, under such conditions as he may prescribe, grant such temporary relief as he deems appropriate pending final determination of the proceedings if:

“(1) All parties to the proceedings have been notified and given an opportunity to be heard on a request for temporary relief;

“(2) The person requesting such relief shows that there is a substantial likelihood that he will prevail on the merits of the final determination of the proceeding; and

“(3) Such relief will not adversely affect the public health or safety or cause significant imminent environmental harm to land, air, or water resources.”

Section 4. The legislature concurs in the recommendations of the Sunset Committee as provided in Sections 1, 2 and 3 hereof.

Section 5. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, or is not approved by the Secretary of the Interior, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws in conflict herewith are hereby repealed. The regulations set forth as 880-X-2E, Rules and Regulations of the Alabama Surface Mining Commission, adopted as Rulemaking 85-2 on September 17, 1985 are hereby expressly repealed. Any rules and regulations proposed subsequent to 90 days following this Act becoming law shall be promulgated pursuant to the Alabama Administrative Procedure Act, Chapter 22, Title 41, Code of Alabama 1975.

Section 7. The Legislative Oversight Committee established by Section §9-16-73(k) of this Act shall be abolished and its function terminated October 1, 1987.

Section 8. This Act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Parsons	
Bedford	Cooley	Holmes	Sanders	
Bedsole	Corbett	Horn	Smith (B)	
Bennett	Covington	Langford	Strong	
Bishop	deGraffenried	Menton	Teague	—19

*Nays:* —0

And said Bill, S. B. 445, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Hand	Mitchem	
Amari	Cooley	Holmes	Parsons	
Bailey	Corbett	Horn	Sanders	
Bedford	deGraffenried	Langford	Smith (B)	
Bedsole	Ellis	Little	Smith (J)	
Bennett	Foshee	Menton	Strong	
Bishop	Goodwin			—25

*Nays:* —0

## BUDGET ISOLATION RESOLUTIONS

Senator Corbett, B. I. R., S. B. 49, adopted.

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Yeas 21, Nays 0.

*Yeas:*

Senators:	Corbett	Holmes	Parsons	
Amari	Covington	Horn	Sanders	
Bedsole	deGraffenried	Langford	Smith (J)	
Bennett	Foshee	Little	Strong	
Cabaniss	Goodwin	Mitchem	Teague	
Cooley	Hand			—21

*Nays:* —0

Senator Corbett, B. I. R., S. B. 50, adopted.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Little	
Amari	Corbett	Hand	Mitchem	
Bedsole	Covington	Holmes	Parsons	
Bennett	deGraffenried	Horn	Sanders	
Cabaniss	Foshee	Langford	Strong	—19

*Nays:* —0

Senator Corbett, B. I. R., S. B. 51, adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Little	
Bailey	deGraffenried	Hand	Mitchem	
Bedsole	Denton	Holmes	Parsons	
Bennett	Figures	Horn	Sanders	
Cabaniss	Foshee	Langford	Strong	—20
Cooley				

*Nays:* —0

Senator Corbett, B. I. R., S. B. 55, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Parsons	
Bailey	Covington	Goodwin	Sanders	
Bedsole	deGraffenried	Hand	Smith (J)	
Bennett	Denton	Holmes	Strong	
Cabaniss	Figures	Horn		—18

*Nays:* —0

Senator Corbett, B. I. R., S. B. 56, adopted.

Yeas 20, Nays 0.

Yeas:

Senators:	Corbett	Hand	Parsons	
Amari	deGraffenried	Holmes	Sanders	
Bailey	Denton	Horn	Smith (B)	
Bedsole	Foshee	Langford	Smith (J)	
Bennett	Goodwin	Mitchem	Strong	
Cabaniss				—20

Nays: —0

**FURTHER CONSIDERATION OF S. B. 48**

The Senate proceeded to further consideration of the Bill, S. B. 48. The question was on the Strong amendment.

On motion of Senator Corbett, said amendment was laid on the table.

And said Bill, S. B. 48, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	deGraffenried	Holmes	Sanders	
Bedsole	Denton	Horn	Smith (B)	
Cabaniss	Foshee	Langford	Smith (J)	
Cooley	Goodwin	Little	Strong	
Corbett	Hand	Mitchem		—18

Nays: —0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 49. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Board of Registration for Foresters as provided in Sections 34-12-1 through 34-12-37 of the Code of Alabama 1975, with certain modifications; to amend Sections 34-12-5, 34-12-6, 34-12-8, 34-12-9, 34-12-30, 34-12-32 and 34-12-36, so as to increase annual license issuance fees; increase examination fees; increase annual notification of renewal license fees; increase reissuance or reinstatement of license fees; rename Alabama chapter the Alabama "Division"; increase per diem allowances for meeting days of board members; and to require bonding of certain officers of the board.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Corbett	Holmes	Sanders	
Bailey	deGraffenried	Horn	Smith (J)	
Bedsole	Denton	Langford	Strong	
Cabaniss	Dial	Little	Teague	
Cooley	Goodwin	Parsons		—18

Nays: —0

RESOLUTION

Senator Teague requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

S. J. R. 134. MEMORIALIZING THE UNITED STATES STATE DEPARTMENT, PRESIDENT REAGAN AND THE ADMINISTRATION TO MANDATE THAT TURKEY PERMIT THE ECUMENICAL PATRIARCHATE THE FREEDOM TO WHICH IT IS ENTITLED.

WHEREAS, American Christians of Orthodox Faith, and particularly the Greek Christians throughout the World, comprising 250 million Orthodox, including the many hundreds of Greek Orthodox in the State of Alabama, recognize the Ecumenical Patriarch of the Ecumenical Patriarchate in Istanbul, as their Spiritual Leader in the World; and

WHEREAS, the Turkish government has repeatedly imposed and mandated restrictions across the broad spectrum of Human and Civil Rights, and has violated the dictates of International law and common decency with regard to the Patriarchate, and to the Patriarch being permitted to exercise the religious freedom to which all faiths are entitled, and to which this great country is committed; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby find and bring to the attention of the State Department of the United States and to the Administration, and particularly, the President, the Honorable Ronald Reagan, the fact, fully documented, that the Patriarch in Istanbul is being subjected to total and complete control, and is deprived of the freedom of worship and the freedom of communication with his constituents throughout the world.

BE IT FURTHER RESOLVED, That this message be sent to the Secretary of State, the Honorable George Schultz, and to the Administration, to require and mandate that Turkey alter its intransigent attitude and posture towards the Ecumenical Patriarch and permit the Ecumenical Patriarchate the freedoms to which it is entitled under International law and the dictates of Human Civil Rights and decency.

On motion of Senator Teague, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

THE BILL:

S. 50. Relating to the Alabama Sunshine Law; to continue the existence and functioning of the Board of Dental Examiners as provided in Sections 34-9-40 through 34-9-47 of the Code of Alabama 1975, and the legislature's concurrence thereof.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	deGraffenried	Hand	Menton
Aldridge	Denton	Holmes	Parsons
Bedsole	Ellis	Horn	Smith (J)
Bennett	Foshee	Langford	Strong
Corbett	Goodwin	Little	

—18

Nays:

—0

## THE BILL:

S. 51. Relating to the Alabama Sunset Law; to continue the existence and functioning of the State Oil and Gas Board as provided in Sections 9-17-1 through 9-17-32 of the Code of Alabama 1975; and the legislature's concurrence thereof.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

## Yeas:

Senators:	Corbett	Hand	Menton	
Aldridge	deGraffenried	Holmes	Sanders	
Bedsole	Ellis	Horn	Smith (J)	
Bennett	Foshee	Langford	Strong	
Cabaniss	Goodwin	Little		—18

Nays: —0

## THE BILL:

S. 55. Relating to the Alabama Sunset Law; to continue the existence and functioning of the State Licensing Board of General Contractors as provided in Sections 34-8-1 through 34-8-27 of the Code of Alabama 1975; with certain modifications; to amend Sections 34-8-2 and 34-8-24, so as to provide that application fees for licenses will be nonrefundable and to provide further for meetings of the board.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

## Yeas:

Senators:	Corbett	Goodwin	Menton	
Aldridge	deGraffenried	Hand	Mitchem	
Amari	Denton	Holmes	Parsons	
Bedford	Drinkard	Horn	Sanders	
Bedsole	Ellis	Langford	Smith (J)	
Bennett	Foshee	Little	Strong	
Cabaniss				—24

Nays: —0

## THE BILL:

S. 56. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Radiation Control Agency and the Radiation Advisory Board as provided in Sections 22-14-1 through 22-14-35 of the Code of Alabama 1975; and the legislature's concurrence thereof.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.



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Yeas 23; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Little	
Aldridge	deGraffenried	Goodwin	Menton	
Amari	Denton	Hand	Parsons	
Bennett	Drinkard	Holmes	Sanders	
Bishop	Ellis	Horn	Smith (J)	
Cabaniss	Figures	Langford	Strong	—23

Nays: —0

REPORTS OF COMMITTEE

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that the following Bills had been placed on the Consent Calendar for today, to-wit:

By Senator Little:

S. 223. To amend Section 41-19-10 of the Code of Alabama 1975, relating to operation plans or budget management by state agencies/departments generally, so as to provide further for such budget management.

By Senator Smith (J):

S. 99. To amend Section 15-22-27, Code of Alabama 1975, to provide that an inmate whose death sentence was imposed under a statute providing life imprisonment without parole shall serve a sentence of life imprisonment without parole if his death sentence is so commuted by the Governor.

By Senator Foshee (With Substitute):

S. 1. To prohibit any two-year or four-year public state supported institution of higher learning from continuing in residence certain students from any foreign nation which does not maintain diplomatic relations with the United States of America or which recognizes any sect or group within its jurisdiction which commits terrorist activities, kidnappings, commandeering of aircraft, injury or loss of life of American citizens, whether civilian or military, or which foreign nation does not offer protection to American emissaries and representatives in any such foreign country; and to prohibit the use of state funds at institutions failing to comply with the provisions of this act.

By Senator Foshee:

S. 164. To amend Section 9-13-63, Code of Alabama 1975, which provides for the maintaining of records of purchases of manufactured forest products, so as to increase the penalty for failure to maintain such records.

By Senator Foshee:

S. 242. To amend Section 9-17-106 of the Code of Alabama 1975, relating to liquefied petroleum gas permit fees so as to increase the amount of permit fees.

By Senator Teague:

S. 121. Relating to the practice of veterinary medicine and surgery in Alabama; to provide for the issuance, suspension, revocation and renewal of

licenses for persons admitted to or engaged in the practice of veterinary medicine as a veterinarian or veterinary technician; to create the Alabama State Board of Veterinary Medicine to administer the act; to provide for its organization, officers, jurisdiction, powers and duties; to provide for certain inspections of facilities and the issuance of premise permits; to provide for hearings and appeals; to impose fees and charges and provide for the use of such; to prescribe penalties; and to repeal conflicting laws and to specifically repeal Sections 34-29-1 through 34-29-6, 34-29-20 through 34-29-23 and 34-29-40 through 34-29-46 of the Code of Alabama 1975.

By Senator Teague:

S. 14. To amend Section 16-25-19, Code of Alabama, 1975, so as to expand the board of control of the Teachers' Retirement System from 13 to 14 members and to specify that the additional member shall be from the ranks of "retired members."

By Senator Teague:

S. 114. Relating to the licensing of real estate brokers and salesmen; to amend Section 34-27-35 of the Code of Alabama 1975 so as to provide for certain continuing education requirements for license renewal.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Holmes, Buskey (John) and Kennedy:

H. J. R. 198. NAMING THE UNIVERSITY CENTER AT ALABAMA STATE UNIVERSITY, MONTGOMERY, ALABAMA, THE "JOHN GAR-RICK HARDY UNIVERSITY CENTER".

Also:

By Rep. Johnson (Roy):

H. J. R. 199. COMMENDING DR. TOMMY RUSSELL OF THE UNIVERSITY OF ALABAMA FACULTY.

Also:

By Reps. Hooper, Starr, McKee, and Mikell:

H. J. R. 200. COMMENDING THE JUNIOR LEAGUE OF MONTGOMERY ON ITS SIXTIETH ANNIVERSARY OF SERVICE TO THE COMMUNITY.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Langford, the Rules were suspended and the Resolution, H. J. R. 198, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

On motion of Senator deGraffenried, the Rules were suspended and the Resolutions, H. J. R.'s 199 and 200, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

RESOLUTIONS

Senators Figures and Bedsole requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

S. J. R. 135. HONORING SCOTT CUNNINGHAM OF EIGHT MILE, ALABAMA, THE MARCH OF DIMES NATIONAL AMBASSADOR AND 1985-86 POSTER CHILD.

WHEREAS, it is with utmost pride that the Legislature of Alabama notes the selection of six-year old Scott Cunningham of Eight Mile, Alabama, as the 1986 March of Dimes National Ambassador by the March of Dimes Birth Defects Foundation; and

WHEREAS, young Scott Cunningham, Alabama's 1984-85 State Poster Child and the son of Ricky and Camille Cunningham, was chosen over hundreds of other children from across the nation because of his engaging personality, his ability to relate to others and his indomitable spirit and determination by which he has been able to partially overcome the formidable birth defects of Spina Bifida; and

WHEREAS, Scott, who has been attending a local kindergarten, will be traveling throughout the coming year, appearing in each state and attending numerous meetings with March of Dimes staffs and volunteers; he also will meet with President Reagan, as well as with many celebrities, while representing the March of Dimes on the national level and participating in the foundation's mission of preventing birth defects; and

WHEREAS, we are indeed proud of young Scott Cunningham, the first National Ambassador and Poster Child from Alabama in over 25 years; we are even more proud, however, of a courage beyond his years that enabled him to face some ten major surgeries and to at last be able to walk, assisted by braces and other aids; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend and congratulate Scott Cunningham of Eight Mile, Alabama, as the March of Dimes 1986 National Ambassador and 1985-86 National Poster Child.

BE IT FURTHER RESOLVED, That in token of our sincere warm praise and regard, a copy of this resolution shall be presented to Scott that he and his parents, and brother, Wayne, may know of our very best wishes for Scott's every future success and happiness in life.

On motion of Senator Figures, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Sanders requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

S. J. R. 136. COMMENDING OTHO ROWLES, SAM WEATHERLY, JOHN WARREN AND NELL THRASHER.

WHEREAS, Otho Rowles of Marion, Alabama, served in the United States Army during World War I and was honorably discharged on December 23, 1918; and

WHEREAS, Mr. Rowles applied for a veterans pension in 1962, but, regrettably, was denied his rightful benefits due to an error in the Army

Records Center in St. Louis; in 1981, he reapplied for benefits but, again, was rejected for a monthly pension as an indigent and disabled veteran; and

WHEREAS, with the thoughtful and persevering assistance, however, of Alabama Veterans Affairs Officer, Sam Weatherly, Perry County Veterans Officer, John Warren, and Nell Thrasher of Alabama's Commission on Aging, Mr. Rowles has at last been approved for benefits and for retroactive payments; and

WHEREAS, it is to be noted with commendation, not only the honorable military service of Otho Rowles of Marion, Alabama, but the selfless and dedicated efforts, over a period of four years, on the part of Sam Weatherly, John Warren and Nell Thrasher in securing the rightful benefits due to a patriotic and disabled American veteran; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Otho Rowles, Sam Weatherly, John Warren and Nell Thrasher and direct that they receive copies of this resolution of commendation in token of our deep admiration and highest esteem.

On motion of Senator Sanders, the Rules were suspended and the Resolution was adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Turnham, Drake, Rice, Reed, White (L), Smith, Grayson, Crow, Albright, Beasley, Black, Blake, Blakeney, Boles, Bowling, Brakefield, Britnell, Brooks, Bryant, Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Coburn, Coleman, Cosby, Faulk, Flowers, Ford, Fuller, Goodwin, Grouby, Harper, Harvey, Holley, Johnson (RG), Junkins, Lauderdale, Lindsey, Mathis, McMillan, Mikell, Newman, Onderdonk, Penry, Poole, Pratt, Preuitt, Richardson, Sasser, Spratt, Starr, Thomas, Trammell, Turner, Venable, Warren, and White (F):

H. J. R. 201. MEMORIALIZING THE ALABAMA CONGRESSIONAL DELEGATION TO SAVE THE COOPERATIVE EXTENSION SERVICE PROGRAMS IN ALABAMA OPERATED BY LAND-GRANT COLLEGES AND UNIVERSITIES, INCLUDING AUBURN UNIVERSITY, ALABAMA A&M UNIVERSITY AND TUSKEGEE UNIVERSITY.

WHEREAS, the Alabama Legislature is alarmed at the potential catastrophic consequences for our Cooperative Extension Service Programs, located in every county of the State, and which would be caused by the pervasive and disproportionately gigantic budget cuts proposed by the President's Executive Budget and the Gramm-Rudman panacea and the rewording of the Smith-Lever Act by the bureaucratic Office of Management and Budget; and

WHEREAS, the Executive Budget cut would reduce Auburn University's federal funds for Cooperative Extension Programs by 63% and cause approximately 200 persons working in such educational and beneficial programs to lose their jobs; and

WHEREAS, this action would be compounded by another blow to the existence of the Cooperative Extension Programs, by the Executive Budget entirely gutting funding for vitally needed food and nutrition programs for limited income families and youth, pest management, farmers' financial management and other essential earmarked funding; and

WHEREAS, by rewording the Smith-Lever Act, the Office of Management and Budget proposes to: cut funding by 47%, so that the Cooperative Extension Programs would be rendered negligible in many lifeblood activities; eliminate funding for forestry, 4-H, home economics, community resource development, home horticulture and gardening; restrict work in youth development, family life, community development and forestry, among others—and thus, dragging our State's agribusinesses and farming economics back to the plight of the 1930's; and

WHEREAS, the crossroads, Alabama Grain Resource Opportunities (AGRO) and catfish production programs would be among those victimized by the proposed Executive Budget cuts, exhibiting the bureaucratic lack of recognizing the investment nature and return of extension and research funding; and

WHEREAS, these proposed budget cuts, elimination of essential farm and family programs and the rewording of the Smith-Lever Act sounds the death-knell for the seventy plus years old Land-Grant mission of teaching, research and Extension established by the Morrill, Hatch and Smith-Lever Acts—a tradition of local, state and federal cooperation and effectiveness at its finest—all at the time the Nation's and State's farmers and rural communities barely are surviving and are in desperate need of educational and financial assistance; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do hereby urge our Alabama Congressional delegation to aggressively, vocally and effectively work against the proposed catastrophic Executive Budget cuts and the preposterous action by the Office of Management and Budget of rewording of the Smith-Lever Act, so that our farmers and rural community of the State who already have sacrificed so much may continue to receive the essential survival assistance and education contained in the Cooperative Extension Programs and rural community support systems operated in every county of this State by Auburn University.

RESOLVED FURTHER, That each member of Alabama's Congressional delegation receive a copy of this Resolution and that the same be sent forthwith by the Clerk of the House, so that they may know of our grave concern and the priority with which all our citizens place on the Cooperative Extension Programs.

BE IT FURTHER RESOLVED, That copies also be sent forthwith to President Ronald Reagan and the Chairmen of the House Budget Committee, the House Appropriations Committee, the Senate Budget Committee, the Senate Appropriations Committee, and Governor George C. Wallace.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Little, the Rules were suspended and the Resolution, H. J. R. 201, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

**ADJOURNMENT**

At 5:05 P.M., Senator Hand moved that the Senate adjourn until Thursday, February 20, 1986, at 10 o'clock A.M.

Senator deGraffenried offered a substitute motion that the Senate adjourn until Thursday, February 20, 1986, at 11 o'clock A.M., which was adopted and, at 5:06 P.M., pending further consideration of the Dixon substitute Motion in Writing for the Cabaniss Motion in Writing for B. I. R., S. B. 170, upon reaching the order of business of Report of Standing Committees, Rules Committee Report, the Senate adjourned until Thursday, February 20, 1986, at 11 o'clock A.M.

**TWELFTH LEGISLATIVE DAY  
THURSDAY, FEBRUARY 20, 1986**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

**PRAYER**

The Session was opened with prayer by the Reverend James Lloyd Knox, Resident Bishop, Birmingham Area United Methodist Church, Birmingham, Alabama.

**PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Kelley Moore, Elmore County High School, Eclectic, Alabama.

**ROLL CALL**

Present:

Senators:	Cabaniss	Foshee	Menton
Aldridge	Cooley	Goodwin	Mitchem
Amari	Corbett	Hand	Parsons
Bailey	deGraffenried	Hilliard	Sanders
Barron	Denton	Holmes	Smith (B)
Bedford	Dial	Horn	Smith (J)
Bedsole	Drinkard	Langford	Strong
Bennett	Ellis	Little	Teague
Bishop	Figures		

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**JOURNAL**

On motion of Senator Denton, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Eleventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

**COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Eleventh Legislative Day was approved by the Senate.

**LEAVE OF ABSENCE**

On motion of Senator Denton, leave of absence was granted Senators Covington and Dixon for today.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 170. COMMENDING THE POLLARD-MCCALL JUNIOR HIGH SCHOOL BASKETBALL TEAMS FOR OUTSTANDING ACHIEVEMENTS.

Also:

H. J. R. 171. COMMENDING CLARENCE DRIVER OF BIRMINGHAM, ALABAMA, ON HIS LONG AND DISTINGUISHED CAREER WITH ROBERTS AND SONS.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF RESOLUTIONS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

**INTRODUCTION OF BILLS**

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Denton:

S. 462. To amend section 9-3-10.1, Code of Alabama 1975, which provides for the emergency forest fire fund, so as to change the name to the emergency forest fire, insects and disease fund and to increase the ceiling on the appropriation to the fund.

Committee on Finance and Taxation.

By Senator Denton:

S. 463. To amend Section 41-9-782, Code of Alabama 1975, which provides for the authority of the Tennessee Valley Exhibit Commission, so as to provide further for the Commission's authority to sell bonds.

Committee on Finance and Taxation.

By Senator Smith (J):

S. 464. To prohibit a municipality not lying entirely or partially in a county from extending its corporate limits or rearranging its boundaries so as to embrace or include within the corporate limits of such municipality any portion of the county without the prior approval of the county commission of the county into which it is extending its boundaries.

Committee on Governmental Affairs.



By Senator Aldridge:

S. 465. To relate to civil actions in the courts of this state; to modify existing rules of evidence; to provide special rules for admission of evidence in civil actions involving allegations of physical abuse or sexual abuse to mentally incompetent or mentally retarded persons.

Committee on Judiciary.

By Senator Cooley:

S. 466. Relating to the licensing of persons engaged in the business of dealing in exotic or pet birds; to define terms; to require licensing; to provide for seizure and destruction of diseased or exposed birds; to provide for regulation of the transfer of birds to include the keeping of records; to provide for promulgation of regulations, and the denial or revocation of licenses; to provide for hearings before the Commissioner of Agriculture and Industries and the Board of Agriculture and Industries and quasi judicial authority of the Commissioner and the Board for all hearings and orders; to provide criminal penalties and injunctive relief.

Committee on Agriculture,  
Conservation, and Forestry.

By Senators Drinkard, Bedford, and Dial:

S. 467. To amend Section 36-25-27, Code of Alabama 1975, which prescribes penalties for violations of the State Ethics Law, so as to establish the minimum felony penalty for violating the law, except financial and lobbying disclosures, as a Class B felony; and to prescribe misdemeanor penalties for violations of financial and lobbying disclosures.

Committee on Judiciary.

By Senators Drinkard, Bedford, and Dial:

S. 468. Relating to the Constitution of 1901, public officers and employees and lobbyists, and the general public and ethical conduct; providing for the administration of Article IV, Sections 53, 54, 59, 60, 79, 80, 81, 82, 87 and 101 of the Constitution of 1901, and Amendment 328, Section 6.08; providing the provisions of this act shall be cumulative to said sections and any punishment shall be construed in pari materia with Article VII, Sections 173, 174, 175 and 176 of the Constitution of 1901 and therefore: to amend Sections 36-25-1, 36-25-2, 36-25-4, 36-25-5, 36-25-6, 36-25-7, 36-25-9, 36-25-10, 36-25-12, 36-25-13, 36-25-14, 36-25-15, 36-25-18, and 36-25-27, Code of Alabama 1975, relating to the ethical conduct of public officials, employees, and lobbyists, and prescribing punishment for violations, so as: to delete certain definitions and redefine others; to provide further for the filing of a statement of economic interests and financial disclosure by certain public officials, public employees and candidates for public office; to provide for the notification of candidacy of certain public officials; to permit investigating certain anonymous complaints and certain other complaints; to prohibit legislators from representing clients, for compensation, before certain state agencies and departments; to prohibit public officials from representing the state, county or municipalities or instrumentalities thereof in their district; to add additional standards of conduct, to prohibit witnesses, complainants or informants from making public statements until an investigation is complete; to grant subpoena power to the commission; to prohibit certain officials and employees of regulatory agencies and certain public officials, employees

and families from soliciting or accepting anything of value from certain persons or organizations; to establish a minimum penalty for violating the ethics law; to require lobbyists and principals to pay an annual registration fee, to change venue to the county in which the alleged violation occurred; to prohibit former public officials and employees from lobbying for a certain period after the expiration of their terms of office; to provide that such laws shall be cumulative to statutory and constitutional provisions relating thereto.

Committee on Judiciary.

By Senators Drinkard, Bailey, and Bedford:

S. 469. Proposing a constitutional amendment to the Constitution of 1901, as amended, mandating that the legislature shall establish, by law, an ethics commission and shall provide for its operation in administering the ethics laws of this State; construing this amendment to be cumulative to other articles and sections of the Constitution relating to the ethical conduct of public officials and the punishment therefor; and providing for an election to be held on the question of the amendment and its effectiveness, which shall be self-executing upon ratification by the people, in accordance with Sections 284, 285 and 287 of the Constitution of 1901, as amended.

Committee on Constitutional Revision.

The above Bill was read a first time at length as required by the Constitution.

By Senators Bishop, Amari, Foshee, Corbett, Figures, Hilliard, Parsons, deGraffenried, Horn, Cooley, Aldridge, Teague, Bennett, Bedford, Drinkard, Smith (J), Menton, Bailey, Langford, and Covington:

S. 470. To establish the Community Stabilization Assistance Act; to provide for loans to employees who have been terminated by plant closings; to provide for a board to administer the loans; and to provide for funding and criteria for eligibility for said loans; to make an appropriation for each of the next three fiscal years; and to provide for a retroactive effect.

Committee on Buildings and Grounds.

By Senators Mitchem, Bailey, Barron, Dial, Denton, Menton, Bedford, Hand, Cooley, Holmes, Bennett, Horn, Goodwin, Drinkard, Ellis, Foshee, Sanders, Bedsole, Smith (J), and Bishop:

S. 471. To establish the Farm Crisis and Transition Program and Commission in the State to provide needed career-oriented technical education and counseling services to farmers and agricultural businessmen in the State in the fields of agricultural finance and accounting, law, farm planning, vocational training and social services at a reasonable cost or on a no-cost basis; to provide supplemental job training to enable economically distressed farmers and agricultural businessmen to remain in farming or to retain their businesses or to facilitate an orderly transition from agriculture to other activities; to provide for the employment by the Commission of a program coordinator, necessary staff and specialist support personnel; to provide that the Commission may appoint an advisory committee; to provide for regional offices to be established to coordinate local regional activities and provide for certification of qualified professionals in the fields of agricultural finance and accounting, law, farm planning, vocational training and social services; to provide farmers and agricultural businessmen seeking program assistance with names of qualified and certified professionals in

their region; to ensure that regional offices actively initiate and maintain a highly visible public awareness program and prepare a descriptive system of periodic program reports with the Commission; to provide for coordination of the Commission's activities with all other state agencies involved in providing services to farmers; to authorize the Governor to accept, on behalf of the State, private contributions for the benefit of the Program; to provide for the severability of the provisions of this Act; and to provide an effective date.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Barron:

S. 472. To amend Section 41-9-708, Code of Alabama 1975, relating to the Alabama Indian Affairs Commission, so as to give the Native Americans of Jackson County representation on said commission.

Committee on Governmental Affairs.

By Senators Barron and deGraffenried:

S. 473. To create the Alabama Competitive Export Corporation; to establish a board of directors of the corporation, provide for the selection and terms of office of the board, and procedures for operation of the board; to describe the purposes, duties and powers of the corporation; to provide for the issuance of bonds by the corporation for such programs authorized by this act; to provide a program for interest subsidies, grants, loans and guarantees from program funds; to authorize the acquisition of insurance for bonds issued pursuant to the act; to establish an insurance fund; to provide programs for technical and management assistance, counseling and research; to exempt certain bonds of the corporation from requirements imposed by the Code of Alabama; and to require annual audits and reports and other matters related thereto.

Committee on Industrial Expansion,  
Economic Growth, and Jobs.

By Senators Teague and Parsons:

S. 474. To amend Sections 5-19-1, 5-19-4, 5-19-10, and 5-19-20, Code of Alabama 1975, which relate to the regulation of extensions of credit, so as to exclude from the definition of "finance charge" premiums for insurance in lieu of perfecting a security interest and certain fees and charges if bona fide and reasonable in amount in transactions secured by real property; to limit the maximum charge to the debtor for insurance to the authorized premiums permitted for such coverages.

Committee on Banking and Insurance.

By Senator Teague:

S. 475. To amend Section 34-23-2, Code of Alabama 1975, relating to the practice of pharmacy in this state, so as to declare it a learned profession.

Committee on Health and Welfare.

By Senators Bedford, Foshee, Bishop, and Barron:

S. 476. To amend §12-18-87, Code of Alabama 1975, to provide for an increase in service retirement and survivor benefits under the judicial retirement fund as it relates to probate judges.

Committee on Buildings and Grounds.

By Senators Dial, Hand, Bennett, Barron, Foshee, Bedsole, and Ellis:

S. 477. Relating to public schools; prescribing certain minimum grade requirements for certain public school students to be eligible for participation in certain extracurricular activities and prescribing penalties for enforcement.

Committee on Education.

By Senator Dial:

S. 478. To amend section 31-2-81 of the Code of Alabama 1975, so as to exempt national guard post exchanges from the payment of operating permit fees.

Committee on Military Affairs.

By Senator Ellis:

S. 479. Proposing an amendment to the Constitution of Alabama relating to prohibiting any municipality originally incorporated outside of Shelby County and having its city hall or municipal headquarters located outside of the boundaries of Shelby County from annexing any future territory in Shelby County without prior referendum approval of a majority of the qualified electors of Shelby County; and providing for such referendum elections.

Committee on Constitutional Revision.

The above Bill was read a first time at length as required by the Constitution.

By Senator Ellis:

S. 480. To prohibit the towing of vehicles on public roads and highways except by means of a wrecker, a flatbed truck, or a tractor trailer truck, and to provide criminal penalties.

Committee on Commerce,  
Transportation, and Utilities.

By Senator Ellis:

S. 481. To provide for different classes of wreckers and to provide for the license plates to be displayed on said wreckers.

Committee on Commerce,  
Transportation, and Utilities.

By Senator Ellis:

S. 482. To require that all wreckers operated within the state shall have certain liability insurance coverage.

Committee on Judiciary.

By Senator Horn:

S. 483. To amend Section 40-18-19 of the Code of Alabama 1975, as amended, relating to exemptions from state income taxes, so as to provide further for such exemptions.

Committee on Finance and Taxation.

By Senator Horn (With Notice and Proof):

S. 484. To establish an expense allowance for the County Commissioners of Jefferson County, Alabama, to take effect upon passage, and to repeal Act No. 85-914 of the Legislature of Alabama of 1985.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 484, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Horn (With Notice and Proof):

S. 485. Relating to Jefferson County; amending Section 5 of Act No. 176, S. 117 of the Extraordinary Session of 1936 (General and Local Acts 1936, p. 206) as last amended by Section 1 of Act No. 217, H. 261 of the First Special Session of 1964 (Acts 1964, p. 299) relating to notification procedures for ad valorem tax assessments in said county, so as to provide further for such procedures.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 485, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Horn:

S. 486. To propose a self-executing amendment to the Constitution of 1901, which repeals Amendment 450 to the said constitution; to create a permanent trust fund for the benefit of the state and the citizens thereof; to provide for the funding of such trust fund with certain moneys derived by the state from the sale, leasing or other disposition of its rights in certain offshore oil, gas and other hydrocarbon minerals; to create a board of trustees to manage such trust fund and prescribe the powers thereof; to provide for the investment of moneys held in such trust fund; and to terminate The Alabama Heritage Trust Fund and transfer the trust capital to The Alabama Trust Fund and the trust income to the state general fund during the year 2001; to transfer assets and the trust capital and certain assets of the Alabama Trust Fund to the new Super Trust Fund; to prescribe that certain payments for certain royalties and leases made to the state, or any of its agencies or instrumentalities, for its rights in certain offshore oil and gas and other hydrocarbon minerals including rights to explore or drill for or to produce gas, oil or other hydrocarbon minerals in certain areas of Mobile Bay or other offshore areas of the state, including revenues received by the state from federal oil and gas leases and royalties off the Alabama coast, shall be paid into the state treasury subject to appropriation by the legislature and without approval of the board of trustees; and to provide for an election on the question of the purposes of this amendment.

Committee on Constitutional Revision.

The above Bill was read a first time at length as required by the Constitution.

By Senator Goodwin:

S. 487. To regulate rental-purchase agreements; to require disclosure of certain information by the merchant to the consumer; to authorize re-statement of agreements under certain conditions; to regulate advertising for rental-purchase agreements; to provide for damages for violations of this act; and to amend Section 5-19-1, Code of Alabama 1975, which defines certain terms for consumer finance purposes, so as to exclude rental-purchase agreements from the definition of credit sale.

Committee on Buildings and Grounds.

By Senator Bennett:

S. 488. To propose a constitutional amendment to amend Amendment 448 of the Constitution, relating to the budget isolation procedure, so as to provide that certain provisions of Amendment 448 shall not be implemented until the 9th legislative day.

Committee on Constitutional Revision.

The above Bill was read a first time at length as required by the Constitution.

By Senator Amari:

S. 489. To amend Section 40-18-19, Code of Alabama 1975, to provide for the exemption of retirement pay for firemen from state and local income taxes the same as retirement pay of school teachers, state employees, civil service retirees and peace officers.

Committee on Finance and Taxation.

By Senator Parsons:

S. 490. To open the State of Alabama Retirement Systems for service performed by certain long-time employees of the Disability Determination Division of the State Department of Education; to provide credit for such service for purposes of continuous service and longevity; to provide that as a prerequisite to obtaining such credit, said members must be active and contributing members of the State of Alabama Retirement Systems; to provide for the payment by the members of such service; and to provide for its termination.

Committee on Finance and Taxation.

By Senators Hilliard and Parsons:

S. 491. To make certain findings respecting the need to grant to certain municipalities in the State of Alabama the power to provide certain types of assistance to new and expanding businesses seeking to finance the costs of capital improvements due to recent curtailments in the assistance provided to such businesses by the federal government and to propose a self-executing amendment to the Constitution of Alabama of 1901 which will permit municipalities in the State of Alabama with more than 100,000 residents according to the 1980 federal decennial census and certain related entities to guarantee or insure the payment of the principal of and the interest on certain types of revenue obligations, provide for the establishment of special trust funds from which moneys can be disbursed to discharge such obligations, specify certain conditions which must be satisfied before any such obligations can be incurred and provide for the establishment of special advisory com-

mittees to assist the governing bodies of such municipalities in determining whether or not to approve the undertaking of any such obligations.

Committee on Constitutional Revision.

The above Bill was read a first time at length as required by the Constitution.

By Senator Sanders (With Notice and Proof):

S. 492. Relating to Lowndes County, Alabama; to provide for and create a County Racing Commission for the regulation, licensing, and supervision of Quarter, Appaloosa, and Arabian Horse Racing and wagering thereon; to prescribe the composition, appointment, powers, and duties of the commission; to provide for and regulate the pari-mutuel of certificate method of wagering within the enclosure of licensed race tracks; to provide for the distribution of license fees, taxes, commissions, and other monies received under the provisions of the act; and to provide certain penalties for the violation of this act and for other purposes relative thereto; and to provide for a referendum on such commission.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 492, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Sanders (With Notice and Proof):

S. 493. Relating to Lowndes County; suspending the implementation of the provisions of Act No. 85-740, H. 900, 1985 Regular Session, as amended by Act No. 85-827, S. 150, 1985 2nd Special Session, until January 1, 1987.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 493, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Langford:

S. 494. To amend Sections 34-26-1, 34-26-20, 34-26-21, 34-26-22, 34-26-40, 34-26-41, 34-26-42, 34-26-43, 34-26-43.1, 34-26-44, 34-26-45, 34-26-46, 34-26-47 and 34-26-48 so as to further define the requirements for licensure of psychologists.

Committee on Governmental Affairs.

By Senator Langford:

S. 495. To amend Sections 41-13-40 and 41-13-44 of the Code of Alabama 1975, as amended, relating to the management of certain public records, so as to provide further therefor, and for the photographing or microphotographing of such public records and for the quality control standards thereof; and to specifically repeal Sections 41-13-41 and 41-13-42, Code of Alabama 1975, relating to such records maintained by the department of archives and history.

Committee on Governmental Affairs.

By Senators Bailey, Barron, and Bennett:

S. 496. To amend Sections 34-7-1, 34-7-2, 34-7-3, 34-7-4, 34-7-5, 34-7-9, 34-7-11, 34-7-16, and 34-7-40, Code of Alabama 1975, which provide for and regulate the practice of cosmetology, so as to provide further for said practice.

Committee on Governmental Affairs.

By Senators Hand and Denton:

S. 497. To authorize counties of this state to establish and provide fire protection districts within each county; to enter into agreements with organized fire departments within each county for fire protection and services; to set fees for fire protection services within each county; and to prescribe the manner of collection and distribution of such fees.

Committee on Governmental Affairs.

By Senator Foshee:

S. 498. To exempt the Eye Foundation, Inc., and any of its branches and agencies from all state, county, or municipal sales or use taxes.

Committee on Buildings and Grounds.

By Senator Foshee:

S. 499. To amend Section 37-6-18(b), Code of Alabama 1975, so as to establish the vote of members required in order to dissolve a cooperative.

Committee on Buildings and Grounds.

By Senator Foshee:

S. 500. To amend Section 37-6-4, Code of Alabama 1975, so as to allow a generating or transmission cooperative to use the word "power" in its name in lieu of the words "electric" or "cooperative."

Committee on Buildings and Grounds.

By Senator Bedsole (With Notice and Proof);

S. 501. Relating to Mobile County; to provide for a minimum annual salary for supernumerary tax collectors.

Committee on Local Legislation No. 3.

I hereby certify that the notice and proof is attached to the Bill, S. B. 501, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Menton:

S. 502. To amend section 15-18-8, Code of Alabama 1975, which imposes a minimum term of imprisonment, so as to decrease said minimum term from three to two years and to require that any defendant sentenced under said provisions shall remain confined for the entire period of the sentence of confinement.

Committee on Judiciary.



By Senator Menton:

S. 503. To provide for registration, disclosure statements, sale or transfer of ownership, reserve funds, escrow accounts, bond requirements, liens on behalf of residents, resident agreements, rights to organize, rehabilitation or liquidation, civil liability, investigations and subpoenas, audits, cease and desist orders, criminal penalties, waivers and regulations in connection with the operation of life care facilities and the sale of life care contracts.

Committee on Governmental Affairs.

By Senator Figures:

S. 504. To establish the Alabama Bureau of State Non-racing Lotteries and provide for the administration and operation of a state lottery or lotteries or schemes in the nature of a lottery or lotteries; to establish the Legislative Lottery Oversight Committee and the membership, their appointment, duties and authority; to create the office of the commissioner of the bureau of state lotteries; to prescribe the powers and duties of the bureau and the commissioner, and the appointment, qualifications and compensation for the commissioner; to regulate the licensing of retail outlet agents and the sale of lottery tickets or shares; to provide for the collection of receipts and the distribution of net revenues; for purposes of the general fund, special educational trust fund, medicaid and as needed for a public works program to make an initial appropriation from the general fund of the state treasury, in the form of a loan, to the bureau of state lotteries for implementing the provisions of this act and to prescribe the manner of repayment of such funds to the said general fund; to require the commissioner to make certain reports to the Governor, the Lottery Advisory Committee, state treasurer and legislature and to prescribe post audits by the state auditor; to require certain state agencies and political subdivisions to provide assistance to the bureau; to require the director of public safety to make investigations in connection with the lottery operations and to perform other law enforcement activity therefor; to provide that upon certification of expenses, the department of public safety shall be reimbursed for actual expenses from lottery overhead funds; to require contracts be made pursuant to the public bid laws; to prohibit certain persons from purchasing lottery tickets or shares; to proscribe the levying of any state, county or local taxes upon the proceeds of any prize awarded by the state lottery; to prescribe penalties for certain violations and crimes; and to specifically provide that no provision of this act shall be construed to rescind or repeal, in whole or in part, any existing or future constitutional amendment or statute authorizing dog racing, horse racing or charitable bingo.

Committee on Judiciary.

By Senators Dial, Bedford, and Smith (J):

S. 505. To amend Sections 32-6-271, 32-6-272 and 32-6-274, Code of Alabama 1975, which provide for distinctive license plates for fire fighters, so as to provide further for said license plates.

Committee on Commerce,  
Transportation, and Utilities.

**REPORT OF  
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, and finds same correctly engrossed, to-wit:

S. 445. Relating to the Alabama Sunset Law; to continue until October 1, 1987, the existence and functioning of the Alabama Surface Mining Commission as provided in Sections 9-16-70 through 9-16-107, to amend Sections 9-16-73, 9-16-74, 9-16-78, 9-16-85, and 9-16-88, Code of Alabama 1975 so as to provide that the rules and regulations of the commission shall not be more stringent than those promulgated by federal statute, rule or regulation; to create a legislative oversight committee and to provide for the duties, composition, meetings and compensation of members of the committee; to require the director of the commission to have knowledge of state and federal surface mining laws, rules and regulations; to provide for a technical assistant for the commission and to provide for his duties and salary; to require permits and licenses to be issued more promptly; It is further provided that the commission shall be reviewed by the Sunset Committee in the interim between the 1986 and 1987 Regular Legislative Sessions and that said commission shall be terminated effective October 1, 1987, unless a Sunset bill passes at the 1987 Regular Session to continue the commission.

CHARLES BISHOP,  
Chairperson.

**RESOLUTIONS**

Senator Goodwin requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

S. J. R. 137. INVITING THE HONORABLE GEORGE C. WALLACE, GOVERNOR OF ALABAMA, TO ADDRESS THE LEGISLATURE.

WHEREAS, there are many problems facing the Legislature of Alabama which require serious consideration and action based on the best information available; and

WHEREAS, the Governor has an overview of matters involving the entire state, and his wisdom will be of great benefit to the Legislature in its decisions; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, that Governor George C. Wallace is hereby invited to address a Joint Session of the Legislature at 1:30 P.M. today, February 20, 1986.

On motion of Senator Goodwin, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Teague, Foshee, Drinkard, Little, Goodwin, Holmes, Hilliard, deGraffenried, Menton, Dial, Ellis, Langford, Horn, and Sanders requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

S. J. R. 138. COMMENDING BETA NU OMEGA CHAPTER OF ALPHA KAPPA ALPHA SORORITY ON THE OCCASION OF ITS 50TH ANNIVERSARY.

WHEREAS, Alpha Kappa Alpha Sorority, Incorporated, is the first national sorority organized by and for Black women in the year 1908 and on the campus of Howard University in Washington, D.C.; and

WHEREAS, Alpha Kappa Alpha Sorority, Incorporated, consists of both graduate and undergraduate chapters, providing programs of social, political and civic services; and

WHEREAS, Alpha Kappa Alpha Sorority, Incorporated, implements creative and diverse programs which improve the economic status of Blacks in their respective communities; and

WHEREAS, Alpha Kappa Alpha Sorority, Incorporated, remains committed to implementing programs in the area of education of youth today for productive citizens of tomorrow; and

WHEREAS, Beta Nu Omega Chapter of Alpha Kappa Alpha Sorority, Incorporated, has completed 50 years of service (1936-1986) in the Montgomery City and County communities; and

WHEREAS, Beta Nu Omega Chapter represents a wealth of dynamic energy and talent within the community and the State of Alabama and, even as it celebrates 50 years of continuous service, looks forward to further progress and achievement as its membership remains "United for Greater Service"; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend and congratulate Beta Nu Omega Chapter of Alpha Kappa Alpha Sorority, Incorporated, for 50 years of distinguished service to the Montgomery City and County communities and to the state of Alabama.

BE IT FURTHER RESOLVED, That in token of our sincere and utmost esteem, a copy of this resolution shall be forwarded to Beta Nu Omega of Alpha Kappa Alpha Sorority, Incorporated.

On motion of Senator Teague, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Bedford offered the following Senate Resolution, to-wit:

S. R. 139. COMMENDING AMY DUNCAN OF FAYETTE ELEMENTARY SCHOOL FOR OUTSTANDING ACHIEVEMENT.

Which was filed.

Senator Barron offered the following Senate Resolution, to-wit:

S. R. 140. COMMENDING ROBERT ISAAC GENTRY OF SCTOTTSBORO, ALABAMA.

Which was filed.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 89. Relating to banks, banking and branch banking which: amends Title 5 of the Alabama Code of 1975 by adding Chapter 13A so as to create

the "Alabama Regional Reciprocal Banking Act of 1986"; provides definitions; authorizes any bank holding company whose principal place of business is in any one of certain jurisdictions to acquire banks and bank holding companies located in Alabama under certain conditions and limitations; requires divestiture in certain circumstances; provides applicable law and for regulatory supervision and enforcement authority; provides for application fees; provides for severability of provisions; restricts amendment of §5-5A-20, Code of Alabama, 1975; and provides an effective date.

JOHN W. PEMBERTON,  
Clerk.

### BUDGET ISOLATION RESOLUTION

Senators Denton and Smith (J) B. I. R., H. B. 50, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Menton	
Amari	Cabaniss	Goodwin	Parsons	
Bailey	Cooley	Hand	Sanders	
Barron	Denton	Holmes	Smith (J)	
Bedford	Dial	Horn	Strong	
Bedsole	Drinkard	Little	Teague	
Bennett	Ellis			—25

*Nays:* —0

### BILLS ON THIRD READING

Senator Denton requested and received permission in order to bring up the Bill:

H. 50. Relating to Lauderdale County; to extend, alter, and rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

And said Bill, H. B. 50, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Ellis	Menton	
Amari	Cabaniss	Foshee	Parsons	
Bailey	Cooley	Goodwin	Sanders	
Barron	Denton	Hand	Smith (J)	
Bedford	Dial	Holmes	Strong	
Bedsole	Drinkard	Horn	Teague	
Bennett		Little		—25

*Nays:* —0

### RESOLUTION

Senator Horn requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

S. J. R. 141. SUPPORTING ALABAMA'S ALL-AMERICAN BOWL GAME.

WHEREAS, the All-American Bowl game held at the end of the college football season is without question one of the premier events in Alabama; and

WHEREAS, the All-American Bowl game has already established an impressive reputation when compared to other post-season bowl games by setting records for the largest pay-off for a first year bowl and the largest attendance for a third year bowl; and

WHEREAS, this bowl game has been televised nationwide with sportscasters inevitably filling empty air time with highly complementary commentary on Birmingham and the State of Alabama focusing attention to our state that could not possibly be afforded through paid advertising; and

WHEREAS, thousands of bowl visitors, who otherwise would never have traveled to our state, bolster our economy and spread the good word about Alabama when they return home; and

WHEREAS, the overall impact of the All-American Bowl game on Alabama is tremendous; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body is in support of obtaining \$250,000.00 from some source to provide for greater promotional activities to make the All-American Bowl game an even bigger and better event for the benefit of the State of Alabama.

Which was read and referred to the Standing Committee on Rules.

### UNFINISHED BUSINESS

The Senate proceeded to consideration of the Unfinished Business for today, which was the Dixon substitute Motion in Writing for the Cabaniss Motion in Writing for B. I. R., S. B. 170, upon reaching the order of business of Report of Standing Committees, Rules Committee Report for the Twelfth Legislative Day.

On motion of Senator Bishop, unanimous consent was granted to postpone further consideration of the Dixon substitute Motion in Writing for the Cabaniss Motion in Writing for B. I. R., S. B. 170, until the Thirteenth Legislative Day.

### REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 176. CONGRATULATING MRS. DODIE McLAUGHLIN EVANS OF FAIRVIEW, ALABAMA, ON THE OCCASION OF HER 100TH BIRTHDAY.

Also:

H. J. R. 124. COMMENDING JAMES F. CALDWELL FOR DISTINGUISHED VOLUNTEER SERVICE.

Also:

H. J. R. 26. NAMING A PORTION OF U. S. HIGHWAY 98 IN MOBILE COUNTY, ALABAMA, THE "MOFFETT ROAD."

On motion of Senator Bishop, the Resolutions were then concurred in and adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Charles L. Beard, Jr. to the University of North Alabama Board of Trustees

On motion of Senator Bishop, the appointment of Mr. Beard was confirmed by the Senate.

Yeas 21; Nays 0.

*Yeas:*

Senators:	deGraffenried	Horn	Sanders	
Bedsole	Denton	Langford	Smith (B)	
Bennett	Ellis	Little	Smith (J)	
Bishop	Figures	Menton	Strong	
Cooley	Foshee	Parsons	Teague	
Corbett	Hand			—21

*Nays:* —0

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Charlie Maner to the University of North Alabama Board of Trustees

On motion of Senator Bishop, the appointment of Mr. Maner was confirmed by the Senate.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cooley	Hand	Menton	
Aldridge	Denton	Holmes	Smith (B)	
Bedsole	Ellis	Horn	Smith (J)	
Bennett	Figures	Langford	Teague	
Bishop	Foshee	Little		—18

*Nays:* —0

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. Jack Hopper to the State Forestry Commission

On motion of Senator Cooley, the appointment of Mr. Hopper was confirmed by the Senate.

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Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Holmes	Smith (B)	
Aldridge	Denton	Horn	Smith (J)	
Bedsole	Ellis	Langford	Strong	
Bishop	Foshee	Little	Teague	
Cooley	Hand	Menton		—18

*Nays:* —0

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. Richard Porterfield to the State Forestry Commission

On motion of Senator Denton, the appointment of Mr. Porterfield was confirmed by the Senate.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Hand	Smith (B)	
Aldridge	deGraffenried	Horn	Smith (J)	
Bedsole	Denton	Langford	Strong	
Bishop	Ellis	Little	Teague	
Cooley	Foshee	Menton		—18

*Nays:* —0

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. James B. Neighbors to the State Forestry Commission

On motion of Senator Denton, the appointment of Mr. Neighbors was confirmed by the Senate.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Horn	Smith (B)	
Aldridge	deGraffenried	Langford	Smith (J)	
Bedsole	Denton	Little	Strong	
Bishop	Figures	Menton	Teague	
Cooley	Hand	Mitchem		—18

*Nays:* —0

**REPORT OF COMMITTEE ON RULES**

Mr. President:

Your standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, and finds same correctly enrolled, to-wit:

S. 89. Relating to banks, banking and branch banking which: amends Title 5 of the Alabama Code of 1975 by adding Chapter 13A so as to create the "Alabama Regional Reciprocal Banking Act of 1986"; provides definitions; authorizes any bank holding company whose principal place of business is in any one of certain jurisdictions to acquire banks and bank holding companies located in Alabama under certain conditions and limitations; requires divestiture in certain circumstances; provides applicable law and for regulatory supervision and enforcement authority; provides for application fees; provides for severability of provisions; restricts amendment of §5-5A-20, Code of Alabama, 1975; and provides an effective date.

CHARLES BISHOP,  
Chairperson.

**SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing report from the Committee on Rules.

**REPORT FROM RULES**

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 96. COMMENDING DOROTHY ANN AUTREY FOR OUTSTANDING ACHIEVEMENT.

On motion of Senator Aldridge, the Resolution was then adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 114. CONGRATULATING MR. AND MRS. VIRGIL SADBERRY ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

H. J. R. 134. COMMENDING THE UNIVERSITY OF MONTEVALLO LADY FALCONS VOLLEYBALL TEAM.



Also:

H. J. R. 132. COMMENDING LEWIS W. FLOWERS ON HIS DISTINGUISHED CAREER AT ALABAMA AVIATION AND TECHNICAL COLLEGE.

Also:

H. J. R. 131. COMMENDING T. KEITH KING OF MOBILE, ALABAMA, FOR OUTSTANDING PROFESSIONAL ACHIEVEMENT.

Also:

H. J. R. 129. COMMENDING DANNY KENNETH CROWNOVER FOR OUTSTANDING ACHIEVEMENT.

Also:

H. J. R. 117. COMMENDING MRS. ANA I. JOHNSON OF SUMTER COUNTY, ALABAMA.

Also:

H. J. R. 115. CONGRATULATING MR. AND MRS. LAWRENCE NOLEN ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

H. J. R. 113. COMMENDING JACK HALE, PROMINENT BESSEMER EDUCATOR.

Also:

H. J. R. 112. MOURNING THE DEATH OF WILLIAM RALPH CHAMBERS.

Also:

H. J. R. 106. COMMENDING 1985 ALL-PRO CHAMPION, STEVE GRISSOM OF GADSDEN, ALABAMA.

Also:

H. J. R. 105. COMMENDING KENNETH TOWNSON FOR OUTSTANDING SERVICE TO THE HIGDON, BRYANT AND FLAT ROCK COMMUNITIES.

Also:

H. J. R. 104. COMMENDING MRS. SALLIE BROOKS, SCOTTSBORO, ALABAMA, ON THE OCCASION OF HER 100TH BIRTHDAY.

Also:

H. J. R. 103. CONGRATULATING MR. AND MRS. WALTER ALLEN PRINE ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

H. J. R. 102. COMMENDING CATHERINE PRUETT OF MOBILE, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

H. J. R. 67. RECOGNIZING AND ENDORSING JANUARY 20-24, 1986, AS LAW AWARENESS WEEK IN ALABAMA.

Also:

H. J. R. 101. COMMENDING SUSAN COURTNEY HEDGEPEETH, ALABAMA'S JUNIOR MISS 1986.

On motion of Senator Aldridge, the Resolutions were then concurred in and adopted by the Senate.

### RESOLUTION

Senators Teague and Strong offered the following Senate Joint Resolution, to-wit:

S. J. R. 142. HONORING PATRICK J. CARMICHAEL OF MONROEVILLE, ALABAMA, ON THE OCCASION OF HIS 100TH BIRTHDAY.

WHEREAS, it is with utmost pleasure that the Alabama Legislature extends heartiest congratulations to Patrick J. Carmichael of Monroeville, Alabama, on the occasion of his 100th birthday, January 28, 1986; and

WHEREAS, a native of Snow Hill, Alabama, born January 28, 1886, and a former resident of Claiborne in Monroe County for more than seventy years, Mr. Patrick is a graduate of Alabama State Teacher's College, Montgomery, Alabama; and

WHEREAS, Mr. Patrick was founder and principal of the former Perdue Hill Industrial High School, Perdue Hill, Alabama, and also taught school in Wilcox and Monroe Counties for fifty years before retiring in 1968; and

WHEREAS, Patrick J. Carmichael is indeed a learned scholar who studied and taught as an aid to his fellowman, and was a master teacher who could master any subject area and, in turn, impart that knowledge to his students; and

WHEREAS, from his school and from his classes have come students who have measured highly in society and among students throughout the United States and other countries, including teachers, housewives, mail clerks, nurses, farmers, mechanics, ministers, domestic servants and in other leading positions in the business and social area of American Society; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of outstanding accomplishment and significant contributions to humankind, we hereby most highly commend Patrick J. Carmichael of Monroeville, Alabama, and extend to him our very best wishes on the momentous occasion of his 100th birthday.

BE IT FURTHER RESOLVED, That a copy of this resolution of commendation be forwarded to Mr. Carmichael.

On motion of Senator Denton, the Rules were suspended and the Resolution was adopted by the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 135. HONORING SCOTT CUNNINGHAM OF EIGHT MILE, ALABAMA, THE MARCH OF DIMES NATIONAL AMBASSADOR AND 1985-86 POSTER CHILD.

Also:

S. J. R. 136. COMMENDING OTHO ROWLES, SAM WEATHERLY, JOHN WARREN, AND NELL THRASHER.

Also:

S. J. R. 137. INVITING THE HONORABLE GEORGE C. WALLACE, GOVERNOR OF ALABAMA, TO ADDRESS THE LEGISLATURE.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Rep. Coburn:

H. 377. To provide conditional appropriations of \$14,367,400 to certain state agencies for the fiscal year ending September 30, 1986; and to provide that certain provisions of this act shall be retroactive.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 377—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Britnell and Kennedy:

H. J. R. 189. PROCLAIMING FEBRUARY AS COMMUNITY, JUNIOR AND TECHNICAL COLLEGE MONTH IN ALABAMA.

Also:

By Reps. Grouby, Starr, McKee, Buskey (John), Hooper, Holmes, Clark (J), and Holley:

H. J. R. 190. COMMENDING ADA KATE MORGAN FOR DISTINGUISHED SERVICE TO THE STATE OF ALABAMA AND THE COMMUNITY.

Also:

By Reps. Kennedy, Clark (W), and Buskey (James):

H. J. R. 191. MOURNING THE DEATH OF ELDER BARBARA JEAN THOMAS OF MOBILE, ALABAMA.

Also:

By Reps. Kennedy, Zoghby, Buskey (James), Clark (W), Turner, Box, Harper, Gaston, Kvalheim, and Marietta:

H. J. R. 192. COMMENDING ELAINE ROUSSOS OF MOBILE, ALABAMA, 1985 FIRST LADY OF MOBILE.

Also:

By Rep. Rice:

H. J. R. 193. COMMENDING COACH JOE WILSON AND THE OPELIKA HIGH SCHOOL BULLDOGS ON THEIR PHENOMENAL PERFECT SEASON RECORD FOR 1985.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Denton, the Rules were suspended and the Resolutions, H. J. R.'S 189, 190, 191, 192, and 193, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Onderdonk and Blakeney (With Notice and Proof):

H. 413. Proposing an amendment to the Constitution of 1901, authorizing and enabling the governing body of the City of Jackson, Clarke County, Alabama, to declare the need for the formation of a public corporation to carry out the provisions of the act and to function as a port authority, and to cause same to be organized; providing for its powers and duties; repealing conflicting provisions of this Constitution, 1901.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 413, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 413—to the Committee on Local Legislation No. 1

(The above Bill, H. B. 413, was read a first time at length as required by the Constitution.)

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Onderdonk and Marietta:

H. 163. To establish the venue for all civil actions for damages for personal injury, death or property damage filed against a county or against a municipality.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 163—to the Committee on Judiciary

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Hooper:

H. J. R. 188. DESIGNATING THE OUTDOOR HISTORICAL DRAMA OF THE JASMINE HILL ARTS COUNCIL AS THE OFFICIAL STATE OUTDOOR DRAMA.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator Langford, the Rules were suspended and the Resolution, H. J. R. 188, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Pratt:

H. J. R. 196. CONGRATULATING MR. AND MRS. MAURICE ALBERT DEAS ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Denton, the Rules were suspended and the Resolution, H. J. R. 196, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Warren:

H. J. R. 221. COMMENDING WILLIAM C. HAMILTON ON HIS DISTINGUISHED CAREER WITH THE ALABAMA DEPARTMENT OF PUBLIC SAFETY.

Also:

By Reps. Turnham, Drake, and Richardson:

H. J. R. 222. COMMENDING THE ALABAMA COOPERATIVE EXTENSION SERVICE ON HOME ECONOMICS ON ITS 75TH ANNIVERSARY.

Also:

By Reps. Turnham, Drake, and Richardson:

H. J. R. 223. COMMENDING THE ALABAMA EXTENSION HOMEMAKERS COUNCIL ON ITS 60TH ANNIVERSARY.

Also:

By Rep. Blake:

H. J. R. 224. CONGRATULATING MR. AND MRS. L. WALTER ASH ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

By Reps. Clark (W), Buskey (James), Turner, Gaston, Kvalheim, Kennedy, Zoghby, Marietta, Harper, and Box:

H. J. R. 225. HONORING SCOTT CUNNINGHAM OF EIGHT MILE, ALABAMA, THE MARCH OF DIMES NATIONAL AMBASSADOR AND 1985-86 POSTER CHILD.

Also:

By Reps. Kennedy, Buskey (James), and Clark (W):

H. J. R. 227. MOURNING THE DEATH OF JAMES H. WILLIAMS OF MOBILE, ALABAMA.

Also:

By Reps. Kennedy, Buskey (James), and Clark (W):

H. J. R. 228. MOURNING THE DEATH OF JULIUS VERNON WILLIAMS OF BALDWIN COUNTY, ALABAMA.

Also:

By Reps. Kvalheim and Zoghby:

H. J. R. 229. MOURNING THE DEATH OF SCEARS LEE, JR., OF MOBILE, ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Denton, the Rules were suspended and the Resolutions, H. J. R.'s 221, 222, 223, 224, 225, 227, 228, and 229, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Holley, Drake, Bowling, Johnson (Roy), Clark (J), Turnham, Campbell, Smith, Blake, Venable, White (L), Hammett, Rains, Warren, Carter, Junkins, White (F), Beasley, Black, Blakeney, Box, Brakefield, Britnell, Brooks, Buskey (JE), Buskey (JL), Butler, Clark (D), Clark (W), Coleman, Cosby, Faulk, Fuller, Goodwin, Grouby, Harper, Hettinger, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, Martin, Mathis, McMillan, Newman, Newton, Nicholson, Onderdonk, Parker, Penry, Poole, Pratt, Reed, Rice, Richardson, Sasser, Seibels, Spratt, Starkey, and Turner.

H. J. R. 220. NAMING THE STATE ADMINISTRATIVE BUILDING IN THE CAPITOL COMPLEX IN MONTGOMERY, ALABAMA, THE "JAMES E. FOLSOM ADMINISTRATIVE BUILDING."

WHEREAS, the Honorable James Elisha Folsom, born in Coffee County, Alabama and presently residing in Cullman, Alabama, first served as Governor of the State of Alabama from 1947 to 1951; upon re-election in 1954, Governor Folsom became only the second governor in the history of our state ever to be elected to more than one four-year term in office, and today is held in high public esteem; and

WHEREAS, as the 46th and 48th Governor of Alabama, James E. Folsom rendered honorable and distinguished service to all citizens, and his eight-year tenure as our Chief Executive Officer was one of great progress for the entire State of Alabama; and

WHEREAS, in recognition of Governor James E. Folsom as a distinguished public servant, and in gratitude for his historic contributions to the good of Alabama and all citizens thereof, it is entirely fitting and desirable

that he be appropriately honored in sincere and everlasting tribute; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the building in the State Capitol Complex in Montgomery, Alabama, which was completed in 1958 during the second administration of Governor Folsom and heretofore has been called the State Administrative Building, is hereby named and designated and shall forever be known as the "James E. Folsom Administrative Building."

BE IT FURTHER RESOLVED, That the proper officials are hereby authorized to erect and maintain appropriate signs and markers so designating said building as the "James E. Folsom Administrative Building."

RESOLVED FURTHER, That to advise Governor Folsom of this honorary designation of the Legislature, a copy of this resolution shall be forwarded to the Honorable James E. Folsom, Cullman, Alabama.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Cooley, the Rules were suspended and the Resolution, H. J. R. 220, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

### RESOLUTION

Senator Cooley offered the following Senate Joint Resolution, to-wit:

S. J. R. 143. NAMING THE NEW LIBRARY AT GEORGE C. WALLACE STATE COMMUNITY COLLEGE AT HANCEVILLE, THE "JAMES E. FOLSOM LIBRARY."

WHEREAS, James Elisha Folsom of Cullman, Alabama, served two terms as a much beloved governor of the State of Alabama from 1947 to 1951, and from 1955 to 1959 having received a total vote in the Democratic primary of 305,384 more than the other candidates combined and defeating his opponent in the 1954 General Election by an overwhelming majority; and

WHEREAS, the administrations of Governor Folsom were years of accomplishment and great progress for the State of Alabama and his contributions through vigorous leadership provided many programs that remain beneficial, even today, to Alabama and all citizens thereof; and

WHEREAS, Governor James E. Folsom also was a staunch friend to education and an early proponent of the state community and junior college system that exists today for the benefit of all Alabama students; and

WHEREAS, in appreciation for his many contributions to our State and in recognition of his progressive administrations, it is entirely fitting and proper that Governor James E. Folsom be appropriately honored by this body on behalf of a grateful citizenry; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the new library at George C. Wallace State Community College at Hanceville, Alabama, which is to house



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and maintain the various papers and records of Governor Folsom, is hereby named and designated as the "James E. Folsom Library."

**BE IT FURTHER RESOLVED**, That the proper officials are hereby authorized to erect and maintain appropriate signs and markers so designating said facility as the "James E. Folsom Library."

**FURTHER RESOLVED**, That in token of our sincere admiration and regard, a copy of this resolution shall be forwarded to the Honorable James E. Folsom of Cullman, Alabama.

On motion of Senator Cooley, the Rules were suspended and the Resolution was adopted by the Senate.

**RECESS**

At 1:29 P.M., on motion of Senator Denton, the Senate took a recess until completion of the Joint Session to hear the message of His Excellency, the Governor, Honorable George C. Wallace.

**JOINT SESSION**

At 1:30 P.M., in accordance with S. J. R. 137, the Senate repaired to the Hall of the House of Representatives for the purpose of hearing the message of his Excellency, the Governor, Honorable George C. Wallace.

The Session was called to order by Lieutenant Governor Bill Baxley, President and Presiding Officer of the Senate. A quorum of the Legislature was present.

Thereupon, the Honorable George C. Wallace was escorted to the Chair and delivered his address to the Legislature of Alabama.

The purpose of the Joint Session having been accomplished, at 2 o'clock P.M., the Senate reassembled in the Senate Chamber, and was called to order by the Honorable Bill Baxley, President and Presiding Officer of the Senate. A quorum of the Senate was present.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Zoghby:

H. 30. To regulate certain activities relating to possession of and transactions in drug paraphernalia; to define certain terms relating to such paraphernalia; to make it unlawful to engage in certain activities relating to such paraphernalia; to prescribe criminal penalties for such unlawful acts; to prescribe forfeiture for contraband; and to repeal and supersede those provisions of Chapter 2, Title 20 of the Code of Alabama which heretofore regulated "drug related objects."

Also:

By Reps. Clark (J), Turnham, Onderdonk, Campbell, Crow, Browder, Johnson (Roy), and Holley:

H. 119. To abolish any zoning law, ordinance or regulation which prohibits mentally retarded or mentally ill persons from living in a natural

residential environment zoned "multi family" as it appears in zoning laws or ordinances so as not to exclude certain groupings of mentally retarded or mentally ill persons.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B. 30—to the Committee on Judiciary

H. B. 119—to the Committee on Health and Welfare

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Rep. Blake:

H. 20. To provide a statutory remedy to the purchaser of a motor vehicle, or successors in interest, against the manufacturer thereof, requiring the replacement of the motor vehicle or the refund of its purchase price, by the manufacturer, where the motor vehicle fails to conform to the manufacturer's warranties thereon in a substantial way and the manufacturer fails to remedy such non-conformity.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 20—to the Committee on Consumer Affairs

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Reps. Junkins and Bugg:

H. 227. To name and designate the college resulting from the merger of Gadsden State Junior College, Gadsden State Technical Institute and Alabama Technical College as Gadsden State Community College.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 227—to the Committee on Education

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Rep. Martin:

H. 521. To propose an amendment to the Constitution of Alabama of 1901 relating to the levy and collection of an additional special ad valorem property tax in Morgan County.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which was set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 521—to the Committee on Constitutional Revision

(The above Bill was read a first time at length as required by the Constitution.)

**RESOLUTION**

Senator Mitchem offered the following Senate Resolution, to-wit:

S. R. 144. COMMENDING LINDA BEARD LITTER, NATIONAL PRESIDENT OF PHI MU FRATERNITY, AND WELCOMING HER TO THE STATE OF ALABAMA.

Which was filed.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment.:

By Rep. Holley:

H. 69. Relating to elections; to provide additional time for overseas Americans to make application for, receive and return absentee ballots; and for such purpose to amend Code of Alabama 1975, Sections 17-10-3, 17-10-5, 17-10-12, 17-10-13, 17-10-14, and 17-16-11; and to provide an effective date.

Also:

By Reps. Laird and Fuller:

H. 335. To permit small businesses and individuals to recover the costs of defending against a state agency when they prevail in court upon appeal.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B. 69—to the Committee on Governmental Affairs

H. B. 335—to the Committee on Small Business

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Hammett:

H. 106. To prohibit certain activities related to tampering with meters and other facilities of public utilities furnishing utility services or otherwise diverting or using utility services unlawfully; to provide felony criminal punishment for violations; and to provide that the provisions of this act are cumulative to Section 13A-8-10, Code of Alabama 1975.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 106—to the Committee on Commerce, Transportation, and Utilities

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Rice:

H. 207. Relating to the abandonment of the commission form of government by Class 6 municipalities; providing for a referendum on the question of adoption of a mayor-council form of government with five (5) single-member districts and a mayor to be elected at large, or in the alternative a council-manager form of government with five (5) single-member districts; establishing in the alternative said forms of government; providing for the establishment of boundaries of districts, salaries of mayor and council, and

the call of election for the members of the council and for a mayor if a mayor-council form of government was adopted; providing for the term of office of the initial council, and for mayor if the mayor council form of government was adopted; providing the election laws to be applied; providing for reapportionment of council districts; providing for the preservation of other officers, their powers, duties, rights, privileges and emoluments, for the preservation of all property owned by the municipality, all contracts in force, legal proceedings, and pension funds; and providing for the continuation of all subordinate agencies of the municipalities and all ordinances; and providing for an effective date of this act, and the severability of the provisions of this act.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 207—to the Committee on Governmental Affairs

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Hammett:

H. 107. To provide that a utility may recover damages from any person who knowingly interferes with any meter or other recording device belonging to a utility, who knowingly diverts utility services or who intentionally and without authority uses utility services; to provide for the measure of damages which may be recovered by the utility in any such civil action.

Also:

By Rep. Campbell:

H. 133. To adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1984 Second Special Session and the 1985 First Special and Regular Sessions of the legislature, as contained in the 1985 Cumulative Supplement to the Code of Alabama 1975, and to make certain corrections in such cumulative supplement.

Also:

By Rep. Sasser:

H. 442. To propose a constitutional amendment to the Constitution of Alabama of 1901, relating to the City of Ozark, Dale County, so as to authorize additional ad valorem taxes for educational and school construction purposes; to provide the manner of implementing said tax by the municipal governing body of Ozark; to provide for issuing bonds and a referendum; and to provide that this amendment shall become effective immediately upon ratification by the people, pursuant to Amendment 425 of the Constitution of Alabama of 1901.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B. 107—to the Committee on Commerce, Transportation, and Utilities

H. B. 133—to the Committee on Judiciary

H. B. 442—to the Committee on Constitutional Revision

(The above Bill, H. B. 442, was read a first time at length as required by the Constitution.)

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Reps. Carothers and Johnson (RG):

H. 202. To require insurance companies which sell medical liability insurance in this state to report to the appropriate state licensing agencies any judgment or settlement resulting from a claim for personal injuries caused by an error, omission or negligence in the performance of professional services; to provide for the form and content of the report made by the insurance company; to provide for the confidentiality of all reports required by this provision and all findings and records made by the licensing board thereon; to provide penalties for failure to make required reports; to provide for the severability of the provisions of this act; to provide for the repeal of all laws in conflict with this act; and to provide an effective date for this Act.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 202—to the Committee on Banking and Insurance

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Blake:

H. 121. To repeal Section 2-6-2, providing for the appointment of a Superintendent of the Agricultural Center to manage and control the coliseum and its facilities; to provide for the appointment of merit system employees for the Agricultural Center by the Agricultural Center Board.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 121—to the Committee on Agriculture, Conservation, and Forestry

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Johnson (Roy):

H. 65. To amend Section 11-51-91, Code of Alabama, 1975, so as to clarify the meaning of said Section; to require a liberal construction of the meaning of said Section.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 65—to the Committee on Governmental Affairs

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Martin:

H. 520. To amend Section 11-94-1, Code of Alabama 1975, which relates to municipal-county port authorities, so as to authorize said port authorities to own, operate and finance office facilities for their own use or the use of certain other organizations, and amends Section 11-94-15, Code of Alabama 1975, which relates to liabilities of certain subdivisions of port authorities so as to provide that counties, municipalities, and public corporations may give certain financial aid to, and may otherwise cooperate with, municipal-county port authorities.

Also:

By Reps. Martin, Drake, and Parker (With Notice and Proof):

H. 247. Relating to Morgan County; providing further for the expense allowances of the chairman and the members of the county commission; and repealing conflicting laws.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 247, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Hammett (With Notice and Proof):

H. 535. To amend the title and Section 1 of Act No. 80-688, H. 1137, of the 1980 Regular Session of the Legislature (Acts 1980, p. 1375), which act provides for hiring and fixing the salaries of certain clerks for the tax assessor and tax collector in Covington County, Alabama, so as to provide further for such salaries and to provide for retroactive effect for said act to October 1, 1982.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 535, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B. 520—to the Committee on Governmental Affairs

H. B. 's 247 and 535—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Campbell (With Notice and Proof):

H. 278. Relating to Calhoun County; providing for an increase in salary for the part-time bailiffs of said county.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 278, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Faulk (With Notice and Proof):

H. 320. Relating to the Second Judicial Circuit; the District Attorney shall have the authority to have the investigator and other employees of his office to assist him in the presence of the grand jury except when said jury is deliberating.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 320, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.



Also:

By Rep. Faulk (With Notice and Proof):

H. 321. To amend Act No. 185, S. 91, 1975 Regular Session, which provides for an expense allowance for the circuit court reporter of the Second Judicial Circuit, so as to provide further for said expense allowance.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 321, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Campbell (With Notice and Proof):

H. 357. Relating to Calhoun County; amending Section 9 of Act No. 154, H. 746, of the 1965 Regular Session, as amended by Act No. 631, H. 410, of the 1983 Regular Session, which created the office of commissioner of licenses in certain counties classified on a population basis, so as to provide further for fees collected for issuing motor vehicle license tags by mail.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 357, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Coleman and Rains (With Notice and Proof):

H. 364. Relating to Marshall County; requiring all lodging facilities located in Lake Guntersville State Park to collect certain lodgings taxes as provided by law.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 364, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Newman (With Notice and Proof):

H. 400. Relating to Fayette County; to regulate further the expense allowance of the members of Fayette County Commission and giving retroactive effect to such expense allowances; and providing automatic termination of such expense allowances.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 400, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 278, 320, 321, 357, 364, and 400—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 122. COMMENDING MRS. PAT ANDERSON AND THE FOLEY HIGH SCHOOL COMPUTER CENTER FOR OUTSTANDING ACHIEVEMENT.

Also:

S. J. R. 125. MOURNING THE DEATH OF JOHN BUNYAN TOLAND OF MILLERVILLE, ALABAMA.

Also:

S. J. R. 127. COMMENDING DONNA BEVERLY OF ASHLAND, MISS TEEN OF ALABAMA.

Also:

S. J. R. 128. COMMENDING CHRISTINE GRIFFIN CALLAHAN FOR OUTSTANDING CONTRIBUTIONS TO PUBLIC EDUCATION AND THE LINEVILLE, ALABAMA, SCHOOLS.

Also:

S. J. R. 129. COMMENDING SOLON DIXON OF ANDALUSIA, ALABAMA.

Also:

S. J. R. 130. RECOGNIZING THE AMERICAN STERILIZER COMPANY (AMSCO) AND AMSCO/MONTGOMERY FOR OUTSTANDING CONTRIBUTIONS TO THE MONTGOMERY COMMUNITY AND THE STATE OF ALABAMA.

Also:

S. J. R. 131. COMMENDING THE CARVER CREATIVE AND PERFORMING ARTS CENTER, CARVER SENIOR HIGH SCHOOL, MONTGOMERY, ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 97. WELCOMING THE HMS BATTLEAXE, USS BRISCOE, FGS HESSEN, HMCS OTTAWA AND THE HNEMS TROMP, AND THEIR CREWS, TO THE PORT OF MOBILE AND THE STATE OF ALABAMA.

Also:

S. J. R. 101. COMMENDING LARKIN H. WADE OF AUBURN, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

S. J. R. 105. COMMENDING BURL HOLLIE "BOJACK" WARREN, JR. OF SUMITON, ALABAMA FOR EXTRAORDINARY COURAGE IN AID OF A LAW ENFORCEMENT OFFICER.

Also:

S. J. R. 89. MOURNING THE DEATH OF C. M. A. ROGERS, III, OF MOBILE, ALABAMA.

Also:

S. J. R. 93. MOURNING THE DEATH OF VERNON ZIONCHEK CRAWFORD OF MOBILE, ALABAMA.

Also:

S. J. R. 63. COMMENDING SUSAN COURTNEY HEDGEPEETH, ALABAMA'S JUNIOR MISS 1986.

Also:

S. J. R. 65. PROCLAIMING FEBRUARY AS COMMUNITY COLLEGE MONTH IN ALABAMA.

Also:

S. J. R. 88. COMMENDING REESE CATER LEE, 1985 "FREE ENTERPRISE PERSON OF THE YEAR."

Also:

S. J. R. 58. HONORING DARWIN E. SMITH, CHAIRMAN OF THE BOARD AND CHIEF EXECUTIVE OFFICER OF KIMBERLY-CLARK CORPORATION.

Also:

S. J. R. 49. COMMENDING JANE C. WALKER OF OPELIKA, ALABAMA, FOR OUTSTANDING ACHIEVEMENT AND COMMUNITY LEADERSHIP.

Also:

S. J. R. 50. HONORING MRS. BERTHA OVERTON OF WEDOWEE, ALABAMA, ON THE OCCASION OF HER 100TH BIRTHDAY.

Also:

S. J. R. 53. MOURNING THE DEATH OF BELLAIRE KRUDOP OF ANDALUSIA, ALABAMA.

Also:

S. J. R. 41. CONGRATULATING THE ALEXANDRIA HIGH SCHOOL VALLEY CUBS, STATE 4A FOOTBALL CHAMPIONS FOR 1985.

Also:

S. J. R. 42. NAMING THE BYPASS TO ALABAMA HIGHWAY 20 THE "MARTIN LUTHER KING DRIVE."

Also:

S. J. R. 44. COMMENDING GAIL OGLE OF SELMA, ALABAMA, FOR OUTSTANDING ATHLETIC ACCOMPLISHMENT.

Also:

S. J. R. 45. HONORING SELMA, ALABAMA'S DIAMOND, THE "GREAT AMERICAN DOG."

Also:

S. J. R. 48. COMMENDING THE FLOYD JUNIOR HIGH SCHOOL CHEERLEADERS ON THEIR NATIONAL CHAMPIONSHIP.

Also:

S. J. R. 54. COMMENDING WILBUR L. BLACKMON, LEE COUNTY HISTORIAN.

Also:

S. J. R. 72. COMMENDING MILLIE MURPHREE OF OZARK, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

S. J. R. 73. COMMENDING STELLA TONEY WHITEHEAD OF DALE COUNTY, ALABAMA, OZARK VOTERS LEAGUE'S WOMAN OF THE YEAR.

Also:

S. J. R. 74. COMMENDING JACOB NELSON McLEOD OF DALE COUNTY, ALABAMA, OZARK VOTERS LEAGUE'S MAN OF THE YEAR.

Also:

S. J. R. 76. ENDORSING THE PROCLAMATION OF JANUARY 1986 AS MEDICAL EYE MONTH.

Also:

S. J. R. 77. MOURNING THE DEATH OF MRS. FLORENCE SANSON CABANISS OF BIRMINGHAM, ALABAMA.

Also:

S. J. R. 78. COMMENDING ROBERT D. WORD, JR., OF SCOTTSBORO, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Cosby, Thomas, and Bryant:

H. J. R. 206. COMMENDING THE ALABAMA EMPLOYMENT SERVICE IN SELMA, ALABAMA.

Also:

By Reps. Cosby, Thomas, and Bryant:

H. J. R. 207. COMMENDING ANN MAJORS WOOD OF SELMA, ALABAMA.

Also:

By Reps. Cosby, Thomas, and Bryant:

H. J. R. 208. COMMENDING JAMES H. WILLIAMS OF SELMA, ALABAMA, AS "CITIZEN OF THE YEAR."

Also:

By Rep. Cosby:

H. J. R. 209. COMMENDING DAVID MULLINS OF SELMA, ALABAMA'S EASTER SEAL POSTER CHILD.

Also:

By Rep. Reed:

H. J. R. 214. DESIGNATING THE MONTH OF FEBRUARY AS BLACK HISTORY MONTH IN ALABAMA.

Also:

By Reps. Zoghby, Marietta, Buskey (James), Harper, Gaston, Kvalheim, Kennedy, Turner, Box, and Clark (W):

H. J. R. 215. MOURNING THE DEATH OF MAY GILL CARLIN OF MOBILE, ALABAMA.

Also:

By Reps. Carter and Starkey:

H. J. R. 216. MOURNING THE DEATH OF DAWN CORINE ALLFREY OF ATHENS, ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Cooley, the Rules were suspended and the Resolutions, H. J. R. 's 206, 207, 208, 209, 214, 215, and 216, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

### REPORTS OF COMMITTEES

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Teague (With Substitute):

S. 301. To provide for protection orders for the purpose of preventing domestic abuse; to provide for court jurisdiction and venue; to provide for

court hearings for petitions for relief; to provide for the contents and the issuance of protection orders; and to provide penalties for violations of protective orders.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Teague:

S. 305. To provide that any law enforcement officer who responds to a call involving domestic abuse shall fill out and file a domestic abuse offense report.

By Senator Teague:

S. 306. To provide that any law enforcement officer acting in good faith and exercising due care in the making of an arrest pursuant to a domestic relations disturbance shall be immune from any civil liability.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Teague (With Substitute):

S. 310. To provide that any law enforcement officer who responds to a domestic relations disturbance shall advise any victim of such disturbance of the availability of shelter or other services in the community that can provide aid for such victim and shall further provide such victim with an immediate notice of any legal rights and remedies available.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Amari (With Amendment):

S. 123. To amend section 32-1-4, Code of Alabama 1975, to provide that custodial arrest is authorized for certain traffic offenders in order to assure that sufficient bond is given and to delete the provision requiring an immediate hearing upon demand by the offender.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Cooley:

S. 128. To allow certified copies of case action summary or docket sheets or other court records to be admitted into evidence for the purpose of proving that a person has been previously convicted of a crime.

By Senator Cooley:

S. 361. To amend Section 12-12-70, Code of Alabama 1975, which section relates to appeals from district courts to provide for the dismissal

of such appeals in certain instances; to provide for an appearance bond on such appeals and procedures for its forfeiture; to provide for the collection of fines and costs, and to provide for the place of commitment where the sentence of the circuit court includes a term of imprisonment.

By Senators Amari, Hand, and Menton:

S. 368. To provide a privilege against divulgence of communications between a person and religious authorities in situations relating to matrimonial rights or status.

By Senator Smith (J):

S. 384. To amend Sections 20-2-80 and 20-2-81 of the Code of Alabama 1975, relating to controlled substances so as to provide that this act be titled "Drug Baron's Enforcement Act of 1986," and to provide further for life in prison without parole for actual or constructive possession of a specified amount of certain controlled substances or mixtures containing certain controlled substances and to provide that the imposition of said sentence shall not be suspended.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senators Sanders and Figures (With Substitute):

S. 423. To amend Sections 15-23-3, 15-23-4, 15-23-5, 15-23-14, and 15-23-17, of the Code of Alabama, 1975, which relate to the Alabama Crime Victims Compensation Commission so as to provide for a new definition of the terms "criminally injurious conduct", "victim" and "collateral source"; to provide that the required regular monthly meetings of the commission be on Thursday; to provide that governmental agencies provide statistical data to the commission; to provide that the commission may initiate litigation to protect its subrogation rights and to fulfill its duties and responsibilities; to provide the commission with access to law enforcement reports; to provide that those reports be privileged; to provide that the commission be subrogated to the rights of the victim when compensation is awarded; to provide that the commission be exempt from the payment of fees for recording restitution orders; to provide that the employees of the commission be under the Merit System Act; and to provide that victim compensation assessment fees be ordered in all felony cases.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Cooley:

S. 429. To provide for the better enforcement of foreign judgments by adopting the Uniform Enforcement of Foreign Judgments Act. To give such judgments the same force and effect as a judgment issued by a court in this state.

By Senator Langford:

S. 410. To provide clerks and registers of the circuit courts and clerks of the district courts with immunity from liability for any action taken in

conformity with certain written orders and from liability for the wrongful acts of their deputies in limited instances, and to provide that good faith immunity shall be available to all clerks and registers for any wrongful act or omission done under color of office.

By Senator Teague:

S. 307. To provide that any police training school recognized by the Peace Officers Standards and Training Commissions shall establish an education and training program for law enforcement officers designed to acquaint them with domestic abuse issues.

Senator deGraffenried, Chairperson of the Standing Committee on Constitutional Revision, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Teague:

S. 167. To propose and provide for the submission of an amendment to the Constitution of Alabama of 1901, as amended; providing that no law whose purpose or effect is to provide for a new or increased expenditure of county funds held or disbursed by the county governing body shall become effective as to any county of this state until the first day of the fiscal year next following the passage of such law unless such law is approved by a resolution duly adopted by and spread upon the minutes of the county governing body of the county affected thereby, or such law (or other law or laws which specifically refer to such law) provides the respective county governing bodies with new or additional revenues sufficient to fund such new or increased expenditures; providing for an election thereon; and prescribing an effective date for the proposed amendment.

The above Bill was read a second time at length as required by the Constitution.

By Senator Teague:

S. 238. Proposing an amendment to the Constitution of Alabama relating to the exemption of the Birmingham Stallions Football Team, Inc., of Jefferson County from all state, city and county taxes for a period of five years.

The above Bill was read a second time at length as required by the Constitution.

By Senator Hand:

S. 388. Proposing an amendment to the Constitution of Alabama 1901, providing that any local, general or special bill which impacts on the revenues of a particular county shall be voted on throughout the legislative process only by those members of the legislature who represent either all or a portion of the affected county.

The above Bill was read a second time at length as required by the Constitution.

Senator Bailey, Chairperson of the Standing Committee on Agriculture, Conservation and Forestry, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with



a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Sanders, Bailey, Mitchem, and Foshee:

S. 364. To authorize and provide for the promotion of the production, marketing, use and sale of catfish and catfish products by research, education, advertising and other methods; to prescribe a method whereby catfish producers may act jointly with handlers, buyers, dealers, processors, manufacturers and distributors of catfish feed, the state board of agriculture and industries, and others, for a promotional program; to provide that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments; to provide for the regulations, requirements and authority relative thereto; to provide for refund of assessments; to prescribe duties of the commissioner of agriculture and industries and the state board of agriculture and industries with respect to a promotional program for the catfish producers of Alabama; to provide for the administration thereof by a commission, council, board or other agency or a nonprofit association which is fairly and substantially representative of the producers of catfish throughout the state; to provide for collection and distribution of assessments by dealers, handlers, buyers, manufacturers and distributors of catfish feed; to require an annual permit of such dealers, handlers, buyers, manufacturers and distributors of catfish feed; and to prescribe other administrative, enforcement, promotional and penalty provisions.

By Senators Sanders, Bailey, Mitchem, and Foshee:

S. 370. To propose an amendment to the Constitution of 1901, authorizing the legislature to provide for promotion of production, distribution, marketing, use, improvement and sale of catfish and catfish products as defined and authorized by the legislature.

The above Bill was read a second time at length as required by the Constitution.

By Senators Bedsole, Bailey, and Menton:

S. 417. To establish an official state nongame wildlife print or wildlife stamp; provides for funding of the program establishing the print or stamp; and provides that the program shall be administered by the Department of Conservation and Natural Resources.

By Senators Cooley, Bailey, Foshee, Teague, Holmes, Dial, Bedford, Ellis, Menton, Denton, Bishop, Covington, and Aldridge:

S. 320. To amend Section 2-7-31, Code of Alabama 1975, setting up the special awards committee for fairs and providing for duties of the committee and the maximum amount committee members receive for per diem and expenses; to delete the maximum amount of per diem and expenses allowed.

Senator Bailey, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senators Goodwin, Denton, Hilliard, Bennett, Little, Drinkard, Foshee, Menton, Bishop, deGraffenried, Horn, Dixon, Teague, Parsons, Covington,

Ellis, Figures, Smith (B), Langford, Strong, Sanders, Aldridge, Cabaniss, Amari, and Hand (With Amendment):

S. 408. To repeal § 3-2-20, § 3-2-21, § 3-5-4, and § 3-5-5 Code of Alabama 1975, to assimilate these sections into a new section and increase the fees for taking up livestock or animals upon the public lands, highways, streets, or roads in Alabama.

Senator Parsons, Chairperson of the Standing Committee on Education, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Little (With Substitute):

S. 76. To amend Section 32-5A-154 and Section 32-5A-155, Code of Alabama, 1975, to require that all school buses transporting public and private school children be painted National School Bus Yellow and buses used for other transportation purposes be painted a color other than yellow.

Senator Parsons, Chairperson of the Standing Committee on Education, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Parsons (With Amendment):

S. 146. To establish certain regulations pertaining to public educational personnel records.

Senator Parsons, Chairperson of the Standing Committee on Education, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senators Amari, Bennett, and Parsons:

S. 209. To define certain school records as "governmental records" and to include school systems and institutions in the definition of government so as to make it illegal to knowingly falsify certain school records.

Senator Aldridge, Chairperson of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Cooley:

S. 345. To amend section 35-11-371 of the Code of Alabama 1975 relating to the perfection of a lien for charges for hospital services so as to provide further for perfecting such lien by extending the time for filing and changing the place of filing.

By Senator Aldridge:

S. 427. Relating to the board of examiners of nursing home administrators; to amend sections 34-20-2, 34-20-9 and 34-20-13 of the Code of Alabama 1975, so as to further provide for the fees of the board.

By Senator Aldridge:

S. 428. To amend Section 22-6-8 of the Code of Alabama 1975, relating to medicaid benefits, so as to provide further for the authority of the Alabama Medicaid Agency relative to suspension, revocation and reinstatement of recipient's benefits.

By Senators Denton, Amari, Goodwin, and Bennett:

S. 396. To require that all facilities providing abortions to provide persons seeking abortions with information on alternatives to abortion, to include the names and addresses of licensed maternity homes for unwed mothers, and to require the revocation of the facility's license to operate for failure to provide the required information.

By Senator Barron:

S. 392. To amend Sections 22-21-20 and 22-21-27, Code of Alabama 1975, as amended, to include and provide for the licensure of home health agencies and hospice.

By Senators Bedsole, Corbett, Drinkard, Bennett, and Cooley:

S. 335. To create the Dietetic/Nutrition Licensing Act and to provide for a board of examiners, and to prescribe the method of appointment; its duties and authorities; and to provide for licensing qualifications, renewals and revocation; exemptions, reciprocity, and penalties.

By Senators Bedsole, Horn, Aldridge, Langford, Bennett, Amari, Hilliard, Strong, Parsons, Corbett, Foshee, and Barron:

S. 291. To amend Section 22-20-3 of the Code of Alabama 1975, so as to further provide that all susceptible infants be tested for sickle cell anemia or sickle cell trait.

By Senator Barron:

S. 261. To amend Section 16-22-3, Code of Alabama, 1975, requiring examination for tuberculosis of school personnel by deleting the specific tests and frequency and adding the determination of same to be by rule of state board of health.

Senator Smith (J), Chairperson of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Goodwin (With Amendment):

S. 379. To amend Section 27-29-3, of the Code of Alabama 1975, which relates to the acquisition of control of, or merger with, domestic insurers, so as to limit acquisition of control of an Alabama domiciled insurer without the Insurance Commissioner's approval by providing that after the acquisition of authorized but unissued voting securities of a domestic insurer, the acquiring person shall not own, control or have the right to acquire 10% or more of the total issued and outstanding voting securities of the domestic insurer however acquired.

Senator Smith (J), Chairperson of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the

following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Teague:

S. 113. To authorize any municipality or group of municipalities, either individually or collectively, to establish a health and accident self-insurance group for the purpose of providing health care and hospital benefits for their officers, employees and family members dependent upon such officers or employees; to authorize the use of public funds in providing such benefits; to provide procedures for the establishment and operation of such groups; to exempt such groups from regulation by the Department of Insurance of the State of Alabama; to exempt such groups from insurance premium taxes; and to establish an effective date.

Senator Foshee, Chairperson of the Standing Committee on Buildings and Grounds, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Covington:

S. 385. To require that any bill introduced in the legislature which attempts to annex territory to a municipality or otherwise change the boundary lines of any municipality shall contain an accurate description of the territory to be annexed or removed from such municipality along with a map of such territory attached; to provide that a copy of such map be filed with the judge of probate of the county or counties where such territory is located and to require that any publication of notice of intent to apply for a local law annexing territory to a municipality or otherwise changing the boundary lines of any municipality shall state that a copy of such map is on file in the office of the probate judge and open to inspection by the public.

By Senators deGraffenried, Parsons, Foshee, Langford, Mitchem, Teague, Drinkard, Bedford, and Hilliard:

S. 459. To reopen the Teachers' and Employees' Retirement Systems of Alabama for nonmembership service; to provide that as a prerequisite to obtaining such credit, said members must be active and contributing members of the Employees' Retirement System of Alabama or the Teachers' Retirement System of Alabama, and to provide that this act shall take effect October 1, 1986, and to provide for its termination on October 1, 1987.

Senator Bedford, Chairperson of the Standing Committee on Student and Youth Activities, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Bennett and Amari:

S. 31. To provide for an assignment to the Department of Pensions and Security of the right to any support owed to or for a child either in the custody of the Department of Pensions and Security and receiving foster care or receiving foster care maintenance payments under Title IV-E of the Social Security Act; to provide the Department of Pensions and Security with the authority to bring actions to establish, modify, or enforce a support

obligation with respect to such child; to provide that a support obligation may be ordered at the time custody is granted to the Department of Pensions and Security; and to provide that the Department of Pensions and Security may collect and distribute support in accordance with rules published by the Department of Pensions and Security.

By Senators Bedsole, Corbett, Strong, and Menton:

S. 119. To require the State Department of Pensions and Security to charge a fee for the processing of adoption applications, said fee to be paid upon placement of a child in the home of the applicant. To provide that no fee shall be charged to an applicant seeking to adopt a child in special circumstances as defined in the Alabama Subsidized Adoption Act and that the Commissioner of the State Department of Pensions and Security may waive such fees.

By Senator Bennett:

S. 149. To provide that support shall be ordered paid directly to the Department of Pensions and Security or its designee in cases which come within the requirements of Title IV-D of the Social Security Act, as amended; provides for the distribution of monies collected; provides for notice to the court of the location and address where monies shall be received; provides for contracting with a designated party; provides that the record of collections shall constitute the official payment record, and shall be prima facie evidence of the payment made by the obligor.

Senator Bedford, Chairperson of the Standing Committee on Student and Youth Activities, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Senators deGraffenried and Bailey (With Amendments):

S. 157. To amend section 12-15-61, Code of Alabama, 1975, relating to certain facilities used for detention and shelter care of children so as to provide further for such detention and shelter care to provide for subsidy by the state of certain costs thereof.

Senator Holmes, Chairperson of the Standing Committee on Small Business, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Corbett:

S. 140. To require any person or legal entity desiring to operate an amusement attraction or amusement ride in the state to make application for and obtain a permit to do so; to require proof of liability insurance coverage for personal injury and property damage as a condition of obtaining such permit; to provide definitions; to provide for annual fees and the disposition of fees; to provide exemptions; to require inspection of rides and attractions; to provide for emergency permits; to authorize the insurance commissioner to make rules to implement the act; to provide penalties for violations; and to provide for an effective date.

Senator Holmes, Chairperson of the Standing Committee on Small Business, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with

amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Parsons (With Amendment):

S. 191. Relating to the regulation, registration and licensing of certain persons engaged in the business of buying gold or silver or gold or silver objects; providing for exemptions; and providing penalties for the violations.

Senator Holmes, Chairperson of the Standing Committee on Small Business, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Strong, Bedsole, deGraffenried, Denton, and Teague:

S. 333. To provide for the sale of fine prints; to provide that information about prints be made available to the purchasers of the prints; to provide that the seller shall disclose that the number of artists' proofs or other proofs does not exceed a certain percentage of the edition size; and to provide for a definitional section, penalties, and remedies.

By Senators Bedsole, Menton, Bailey, Foshee, Dixon, and Bedford:

S. 387. Requiring the statewide administrative control, supervision and regulation including certain registration and licensing of the practice of barbering, teaching of barbering, barbers, barber instructors, barber students, barber apprentices, barbershops, and barber schools; creating a state barber board for such purpose; prescribing the powers and duties of said board; abolishing all local county barber boards or commissions; providing penalties for violations; repealing or superseding all laws, whether general, general of local application, special or local, which conflict with this act; and specifically repealing sections 34-5-1 through 34-5-16 of the Code of Alabama 1975.

Senator Holmes, Chairperson of the Standing Committee on Small Business, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Holmes (With Substitute):

S. 391. To amend sections 8-17-210, 8-17-211, 8-17-217, 8-17-218, 8-17-221, 8-17-222, 8-17-224, and 8-17-226, Code of Alabama 1975, which provide for the regulation of fireworks in Alabama, so as to revise the definition of "retailer" to include provisions for seasonal retailers; to revise the definition of "distributor" to include provisions for all persons making sales of fireworks for resale; to require all permits to be displayed; to require persons shipping fireworks within the state to apply for permits; to prohibit mail order sales of fireworks; to provide further for permit fees and the distribution of proceeds therefrom; to provide further for the prohibition of the sale of certain fireworks; to provide further for the display of fireworks; to prohibit sales of fireworks to persons under 16, and to provide for the sale of confiscated fireworks.

By Senator Foshee (With Substitute):

S. 449. To amend Act No. 85-921, H. 35, 1985 Second Special Session, which creates a licensing board to be known as the Alabama Board of

Electrical Contractors, so as to provide further for the exemptions from licensing.

Senator Holmes, Chairperson of the Standing Committee on Small Business, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Drinkard:

S. 398. To provide for the licensing by the Department of Revenue of salvage pools or businesses which sell or dispose of wrecked or damaged motor vehicles; to provide for the payment and distribution of fees; and to provide for penalties for violations.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Ellis (With Notice and Proof):

S. 383. Relating to Shelby County; to regulate the liquor traffic of certain clubs in certain instances pursuant to the authority of Section 104 of the state Constitution.

By Senator Sanders (With Notice and Proof):

S. 424. Relating to Lowndes County; providing for a chief clerk and clerk for the probate judge; and prescribing the duties and setting the salaries for such clerks; providing for the hiring of a part-time clerk; repealing Act No. 119, H. 115, of the 1978 Special Session (Acts 1978, p. 1835), Act No. 316, H. 719, of the 1939 Regular Session (Acts 1939, p. 205) and Act No. 40, H. 215 of the 1951 Regular Session (Acts 1951, p. 248).

By Senator Foshee:

S. 448. To propose an amendment to the Constitution of Alabama of 1901, as amended, relating to Covington County, so as to permit the county commission to levy and collect a special property tax, in addition to all other taxes now or hereafter authorized by the Constitution and laws of Alabama.

The above Bill was read a second time at length as required by the Constitution.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Onderdonk (With Notice and Proof) (With Amendment):

H. 158. To authorize and empower the governing body of Washington County, Alabama, to levy and collect special county privilege and license taxes and excise taxes paralleling the state sales and use taxes provided for in Chapter 23 of Title 40 of the Code of Alabama 1975; to specify the rates at which such taxes may be levied; to provide for the ascertainment, collection, payment, distribution and use of the proceeds from such taxes as may be levied by the said governing body; to provide for the enforcement of this

act by the state department of revenue and to provide for an advisory referendum election to determine whether the qualified electors of said county approve or disapprove of the provisions of this act.

By Rep. Onderdonk (With Notice and Proof) (With Amendment):

H. 161. Proposing an amendment to the Constitution of 1901, creating the Washington County Port Authority; providing for its powers and duties; repealing conflicting provisions of this Constitution, 1901.

The above Bill was read a second time at length as required by the Constitution.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Onderdonk (With Notice and Proof):

H. 264. Relating to Washington County; amending Act No. 39, H. 185, 1965 Regular Session, (Acts 1965, p. 57), which provides for the compensation of the members of the board of registrars, so as to provide further for said compensation.

By Rep. Laird (With Notice and Proof):

H. 315. Relating to Clay County; requiring the county health department or its agents to perform soil percolation tests for septic tank installation purposes for a certain fee.

By Rep. Harvey:

H. 96. Proposing an amendment to the Constitution of Alabama relating to prohibiting any municipality originally incorporated outside of Blount County and having its city hall or municipal headquarters located outside of the boundaries of Blount County from annexing any future territory in Blount County without prior referendum approval of a majority of the qualified electors living within the area to be annexed; and providing for such referendum elections.

The above Bill was read a second time at length as required by the Constitution.

## RESOLUTIONS

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 145. COMMENDING GEORGE A. BARNES OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Also:

S. R. 146. COMMENDING WILLIAM O. TURNEY OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Also:

S. R. 147. COMMENDING DON GEROSA.



Also:

S. R. 148. COMMENDING PATRICIA M. BLACKWELL OF MADISON, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Also:

S. R. 149. COMMENDING JUNE COATES MITCHELL OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Which were filed.

Senators Smith (J) and Bedford offered the following Senate Resolution, to-wit:

S. R. 150. COMMENDING THOMAS H. SINIARD OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Which was filed.

Senator Amari offered the following Senate Resolution, to-wit:

S. R. 151. CONGRATULATING COACH BOBBY BOWDEN ON HIS INDUCTION INTO THE ALABAMA SPORTS HALL OF FAME.

Which was filed.

### MOTIONS IN WRITING

Senator Cabaniss offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 354, on page 52 of the Twelfth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 354, referred to the Standing Committee on Rules for placement on the Consent Calendar.

Senator Bennett offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 405, on page 53 of the Twelfth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 405, referred to the Standing Committee on Rules for placement on the Consent Calendar.

### RESOLUTIONS

Senators Hilliard, Figures, Sanders, Langford, and Horn offered the following Senate Joint Resolution, to-wit:

S. J. R. 152. NAMING ACT NO. 79-322, S. 55, 1979 REGULAR SESSION, "THE J. RICHMOND PEARSON ACT."

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Act No. 79-322, S. 55, 1979 Regular Session, which created the Private Colleges and Universities Facilities Authority, is hereby named "The J. Richmond Pearson Act."

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to J. Richmond Pearson.

Which was read and referred to the Standing Committee on Rules.

Senators Hilliard, Figures, Sanders, Langford, and Horn then offered the following Senate Joint Resolution, to-wit:

S. J. R. 153. CALLING FOR THE IMMEDIATE AND UNCONDITIONAL RELEASE OF NELSON MANDELA AND ALL SOUTH AFRICAN POLITICAL PRISONERS AND DETAINEES.

WHEREAS, South Africa is the only country in the world to base its governmental system on racism, openly refusing the most fundamental civil and political rights, including citizenship, to the Black majority population; and

WHEREAS, this system, known as apartheid, has been condemned by the world community as a crime against humanity, and is illegitimate and offensive to the basic principles and values of civilization; and

WHEREAS, Nelson Rolihlahla Mandela, a lawyer and leader of the South African people, has been imprisoned for the past 23 years for his opposition to apartheid; and

WHEREAS, Mr. Mandela symbolizes the determination of his people to eradicate apartheid and to establish a united, non-racial and democratic South Africa; and

WHEREAS, numerous governments, including the United States, as well as the United Nations, have called for the immediate and unconditional release of Nelson Mandela; and

WHEREAS, there are thousands of other South Africans currently in prison for their opposition to apartheid; and

WHEREAS, the release of Nelson Mandela and all other political prisoners and detainees is essential to the prompt solution of the continued suppression of legal and human rights in South Africa; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That consistent with our dedication to the Rule of Law and the principle of human equality embodied in the United States Constitution, we hereby call for the immediate and unconditional release of Nelson Mandela and all South African political prisoners and detainees.

BE IT FURTHER RESOLVED, That copies of this resolution be dispatched forthwith to P. W. Botha, President, Republic of South Africa, and to Ronald Reagan, President, United States of America.

Which was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. White (L):

H. 48. To amend Section 34-23-51, Code of Alabama 1975, which provides for licensing and examinations of pharmacists, so as to provide further for the examinations of applicants for the profession.

Also:

By Rep. Biddle:

H. 178. To amend §34-24-361 Code of Alabama, 1975, to provide that complaints before the Medical Licensure Commission and the Board of Medical Examiners and testimony with respect thereto are absolutely privileged and to grant immunity from suit to the Board of Medical Examiners and the Medical Licensure Commission.

Also:

By Reps. Johnson (RG) and Carothers:

H. 203. Relating to the Board of Medical Examiners and the Medical Licensure Commission to authorize the Board of Medical Examiners in its capacity as a certifying board to assess administrative fines not to exceed \$1500.00 for each violation of the provisions of §20-2-54 or the rules and regulations of the Board; and further to authorize the Medical Licensure Commission to assess administrative fines not to exceed \$2500.00 for violations of §34-24-360 or the rules and regulations of the Commission; and further to provide that a portion of these fines shall be paid to the Board and deposited in a segregated account designated The Alabama Physicians Education Fund; and further to authorize at the discretion of the Board of Medical Examiners the expenditure of funds in The Alabama Physicians Education Fund only for the education, rehabilitation or treatment of physicians licensed to practice medicine in Alabama who are impaired by reason of mental or emotional illness or addiction to alcohol or drugs or for programs of continuing medical education; and further to provide that the Board is authorized to contract for programs, services, and materials without regard to the competitive bid laws for expenditures made from The Alabama Physicians Education Fund; and further to provide that the Medical Licensure Commission shall not renew the annual certificate of registration of any physician against whom an administrative fine has been assessed until the fine is paid in full; to provide for the severability of the provisions of this Act; to provide for the repeal of all laws in conflict with this Act; and to provide an effective date for this Act.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 48, 178, and 203—to the Committee on Health and Welfare

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Box, Marietta, and Fuller:

H. 184. The Probate Court shall have authority and the duty to appoint any suitable person or agency, public or private, including a private association or non-profit corporation as a guardian" for a developmentally disabled person.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 184—to the Committee on Judiciary

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Grayson and Holmes:

H. J. R. 235. COMMENDING KAPPA ALPHA PSI FRATERNITY.

Also:

By Reps. Rains, Burke, Lindsey, and Coleman:

H. J. R. 236. COMMENDING JAMES H. JOHNSON OF MENTONE, ALABAMA, FOR OUTSTANDING ACHIEVEMENT AS GENERAL MANAGER OF THE FARMERS TELEPHONE COOPERATIVE.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolutions, H. J. R.'s 235 and 236, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

### BUDGET ISOLATION RESOLUTION

Senator Little, B. I. R., S. B. 223, adopted.

Yeas 18; Nays 0.

Yeas:

Senators:  
Aldridge  
Bedsole  
Bishop  
Cabaniss

Cooley  
Corbett  
Drinkard  
Ellis  
Foshee

Hand  
Horn  
Langford  
Little  
Menton

Sanders  
Smith (B)  
Smith (J)  
Teague

—18

Nays:

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 223. To amend Section 41-19-10 of the Code of Alabama 1975, relating to operation plans or budget management by state agencies/departments generally, so as to provide further for such budget management.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Menton	
Aldridge	Cooley	Hand	Sanders	
Bedford	Corbett	Horn	Smith (B)	
Bedsole	Drinkard	Langford	Smith (J)	
Bishop	Ellis	Little	Teague	—19

*Nays:* —0

**MOTIONS IN WRITING**

Senator Hand requested and received permission to suspend the Rules in order to offer the following Motions in Writing, to-wit:

I move that the Bill, S. B. 75, on page 37 of the Twelfth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 75, referred to the Standing Committee on Rules for placement on the Consent Calendar.

I move that the Bill, S. B. 210, on page 21 of the Twelfth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 210, referred to the Standing Committee on Rules for placement on the Consent Calendar.

**BUDGET ISOLATION RESOLUTION**

Senator Smith (J), B. I. R., S. B. 99, adopted.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Cabaniss	Drinkard	Little	
Aldridge	Cooley	Ellis	Sanders	
Amari	Corbett	Foshee	Smith (B)	
Bedford	deGraffenried	Holmes	Smith (J)	
Bedsole	Denton	Horn	Teague	
Bishop	Dial	Langford		—22

*Nays:* —0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 99. To amend Section 15-22-27, Code of Alabama 1975, to provide that an inmate whose death sentence was imposed under a statute providing life imprisonment without parole shall serve a sentence of life imprisonment without parole if his death sentence is so commuted by the Governor.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Cooley	Drinkard	Sanders	
Aldridge	Corbett	Ellis	Smith (B)	
Amari	deGraffenried	Foshee	Smith (J)	
Bedsole	Denton	Hand	Strong	
Cabaniss	Dial	Holmes	Teague	—19

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Foshee, B. I. R., S. B. 1, adopted.

Yeas 16; Nays 2.

*Yeas:*

Senators:	Dial	Holmes	Smith (B)	
Barron	Drinkard	Horn	Smith (J)	
Bedford	Ellis	Langford	Strong	
Corbett	Foshee	Sanders	Teague	
Denton				—16

*Nays:*

Senators:	Cooley	deGraffenried	—2
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**BILLS ON THIRD READING RESUMED****THE BILL:**

S.1. To prohibit any two-year or four-year public state supported institution of higher learning from continuing in residence certain students from any foreign nation which does not maintain diplomatic relations with the United States of America or which recognizes any sect or group within its jurisdiction which commits terrorist activities, kidnappings, commandeering of aircraft, injury or loss of life of American citizens, whether civilian or military, or which foreign nation does not offer protection to American emissaries and representatives in any such foreign country; and to prohibit the use of state funds at institutions failing to comply with the provisions of this act.

was taken up.

The Standing Committee on Education reported the following substitute for the Bill, S. B. 1, to-wit:

**SUBSTITUTE FOR S. B. 1**

**A BILL  
TO BE ENTITLED  
AN ACT**

Proposing a constitutional amendment to the Constitution of 1901 to prohibit any two-year or four-year public state supported institution of higher learning from continuing in residence certain students from any foreign nation which does not maintain diplomatic relations with the United States of America or which recognizes any sect or group within its jurisdiction which commits terrorist activities, kidnappings, commandeering of aircraft, injury or loss of life of American citizens, whether civilian or military, or which foreign nation does not offer protection to American emissaries and representatives in any such foreign country; and prohibiting the use of state funds at institutions failing to comply with the provisions of this act, and shall become valid when ratified by the people in accordance with Sections 284, 285 and 287 of the Constitution of 1901 as amended.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285 and 287 of the Constitution of 1901 as amended:

**PROPOSED AMENDMENT**

No two-year or four-year public state supported institution of higher learning shall continue in residence any student of any foreign nation which does not maintain foreign diplomatic relations with the United States of America or which recognizes any sect or group within its jurisdiction which commits terrorist activities, kidnappings, commandeering of aircraft, injury or loss of life of American citizens, whether civilian or military, or which foreign nation does not offer protection to American emissaries and representatives in any such foreign country.

Any such institution of higher learning having a student prohibited from residence as provided in Section 1, shall immediately provide for the expulsion of such student subject to the provisions of Section 3.

Any such institution of higher learning receiving funds from the State of Alabama, prior to the effective date of this act, shall be ineligible to receive state funds unless such institution immediately complies with the provisions of this act.

Section 2. An election upon the proposed amendment is ordered to be held at the next general, special, primary or constitutional amendment election after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and the general election laws of this state.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be

published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the state. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Section 4. The provisions of this act shall be effective immediately upon ratification by the people and the Governor thereafter shall proclaim this amendment as required by law.

Which was adopted.

Yeas 18; Nays 1.

*Yeas:*

Senators:	Cabaniss	Foshee	Sanders	
Amari	Corbett	Hand	Smith (B)	
Barron	deGraffenried	Holmes	Smith (J)	
Bedford	Denton	Little	Teague	
Bishop	Ellis	Parsons		—18

*Nay:* Senator Cooley —1

### MOTION IN WRITING

Senator Foshee requested and received permission to suspend the Rules in order to offer the following Motion in Writing, to-wit:

I move that the Bill, S. B. 61, on page 25 of the Twelfth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 61, referred to the Standing Committee on Rules for placement on the Consent Calendar.

### FURTHER CONSIDERATION OF S. B. 1, AS AMENDED

The Senate proceeded to further consideration of the Bill, S. B. 1, as amended.

And said Bill, S. B. 1, as amended, was read a third time at length and lost.

Yeas 8; Nays 9.

Abstaining 1.

*Yeas:*

Senators:	Foshee	Hand	Parsons	
Corbett	Goodwin	Holmes	Smith (J)	
Denton				—8

*Nays:*

Senators:	Cooley	Ellis	Sanders	
Amari	deGraffenried	Figures	Teague	
Cabaniss	Drinkard			—9

*Abstaining:* Senator Langford —1



**MOTION IN WRITING**

Senator Corbett requested and received permission to suspend the Rules in order to offer the following Motion in Writing, to-wit:

I move that the Bill, S. B. 222, on page 45 of the Twelfth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 222, referred to the Standing Committee on Rules for placement on the Consent Calendar.

**BUDGET ISOLATION RESOLUTION**

Senator Foshee, B. I. R., S. B. 164, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Sanders
Bedsole	Denton	Goodwin	Smith (B)
Bishop	Drinkard	Holmes	Smith (J)
Cabaniss	Ellis	Langford	Teague
Corbett	Figures	Parsons	

—18

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 164. To amend Section 9-13-63, Code of Alabama 1975, which provides for the maintaining of records of purchases of manufactured forest products, so as to increase the penalty for failure to maintain such records. was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Corbett	Figures	Parsons
Bedsole	deGraffenried	Foshee	Sanders
Bennett	Denton	Goodwin	Smith (B)
Bishop	Drinkard	Holmes	Smith (J)
Cabaniss	Ellis	Langford	Teague

—19

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Foshee, B. I. R., S. B. 242, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Figures	Sanders
Bedsole	deGraffenried	Foshee	Smith (B)
Bennett	Denton	Hilliard	Smith (J)
Bishop	Drinkard	Langford	Teague
Cabaniss	Ellis	Parsons	

—18

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 242. To amend Section 9-17-106 of the Code of Alabama 1975, relating to liquefied petroleum gas permit fees so as to increase the amount of permit fees.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Figures	Sanders	
Bedsole	deGraffenried	Foshee	Smith (B)	
Bennett	Denton	Hilliard	Smith (J)	
Bishop	Drinkard	Langford	Teague	
Cabaniss	Ellis	Parsons		—18

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Teague, B. I. R., S. B. 121, adopted.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Little	
Bedford	deGraffenried	Hand	Sanders	
Bedsole	Denton	Holmes	Smith (B)	
Bennett	Drinkard	Horn	Smith (J)	
Cabaniss	Ellis	Langford	Teague	—19

*Nays:* —0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 121. Relating to the practice of veterinary medicine and surgery in Alabama; to provide for the issuance, suspension, revocation and renewal of licenses for persons admitted to or engaged in the practice of veterinary medicine as a veterinarian or veterinary technician; to create the Alabama State Board of Veterinary Medicine to administer the act; to provide for its organization, officers, jurisdiction, powers and duties; to provide for certain inspections of facilities and the issuance of premise permits; to provide for hearings and appeals; to impose fees and charges and provide for the use of such; to prescribe penalties; and to repeal conflicting laws and to specifically repeal Sections 34-29-1 through 34-29-6, 34-29-20 through 34-29-23 and 34-29-40 through 34-29-46 of the Code of Alabama 1975.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

**REGULAR SESSION  
12th Day**

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Yeas 21; Nays 0.

*Yeas:*

Senators:	Denton	Hilliard	Parsons	
Bedsole	Drinkard	Holmes	Sanders	
Bennett	Ellis	Horn	Smith (B)	
Cabaniss	Foshee	Langford	Smith (J)	
Corbett	Goodwin	Little	Teague	
deGraffenried	Hand			—21

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Teague, B. I. R., S. B. 14, adopted.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Drinkard	Hilliard	Parsons	
Bedsole	Ellis	Holmes	Sanders	
Cabaniss	Figures	Horn	Smith (B)	
Corbett	Foshee	Langford	Smith (J)	
deGraffenried	Goodwin	Little	Teague	
Denton	Hand	Mitchem		—22

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 14. To amend Section 16-25-19, Code of Alabama, 1975, so as to expand the board of control of the Teachers' Retirement System from 13 to 14 members and to specify that the additional member shall be from the ranks of "retired members."

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Drinkard	Hilliard	Parsons	
Aldridge	Ellis	Holmes	Sanders	
Cabaniss	Figures	Horn	Smith (B)	
Corbett	Foshee	Langford	Smith (J)	
deGraffenried	Goodwin	Little	Teague	
Denton	Hand	Mitchem		—22

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Teague, B. I. R., S. B. 114, adopted.

Yeas 21; Nays 0.

Yeas:

Senators:	Drinkard	Holmes	Parsons
Aldridge	Ellis	Horn	Sanders
Amari	Figures	Langford	Smith (B)
Bedsole	Foshee	Little	Smith (J)
Cabaniss	Goodwin	Mitchem	Teague
Denton	Hand		

—21

Nays:

—0

**RESOLUTION**

Senators Mitchem, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Horn, Langford, Little, Menton, Parsons, Sanders, Smith (B), Smith (J), Strong, and Teague requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

**S. J. R. 154. EXPRESSING THE SENSE OF THE LEGISLATURE RELATIVE TO THE CURRENT CRISIS FACED BY ALABAMA'S FARMERS.**

WHEREAS, the Farmers Home Administration has announced its intention to send notices tomorrow, February 21, 1986, of "intent to take adverse action" against 575 Alabama farmers who are delinquent in repayment of their FHA loans; and

WHEREAS, the fact that these loans are delinquent for more than three years most vividly illustrates the plight of many farmers in Alabama who now, in view of the terms of said "adverse action" notices, are subject to the threat of foreclosure by the Farmers Home Administration; and

WHEREAS, as the farmers in our state are the backbone of agriculture in Alabama, we are faced with a situation that threatens the very existence of farms, statewide, as well as the future agricultural economy in Alabama; and

WHEREAS, Governor Wallace has expressed his concern for these farmers with a proposed executive order to help alleviate this crisis, and a bill also has been filed in this legislature which would create a farm crisis and adjustment program to provide for legal, vocational and counseling services to assist farmers in protecting their holdings and their means of livelihood; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we herein express the sense of this body that it is vital that prompt action be taken relative to the current crisis of farmers in Alabama brought about by the announced notice of "intent to take adverse action" by the Farmers Home Administration against 575 farmers in this state.

BE IT FURTHER RESOLVED, That we would call upon all segments in Alabama to unite in support of our farmers and to provide all assistance possible through our financial institutions, businesses, churches, charitable organizations and governmental entities that this catastrophic situation in our state might be quickly resolved.

On motion of Senator Mitchem, the Rules were suspended and the Resolution was adopted by the Senate.

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 114. Relating to the licensing of real estate brokers and salesmen; to amend Section 34-27-35 of the Code of Alabama 1975 so as to provide for certain continuing education requirements for license renewal.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Denton	Hilliard	Parsons	
Aldridge	Drinkard	Holmes	Sanders	
Bedsole	Ellis	Horn	Smith (B)	
Cabaniss	Foshee	Langford	Teague	
Corbett	Hand	Little		—18

Nays: —0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Carothers and Johnson (RG):

H. 204. To amend §34-24-360(15) to authorize the Medical Licensure Commission to suspend or revoke a license to practice medicine or osteopathy when another State licensing board takes disciplinary action against a physician; to provide for the severability of the provisions of this Act; to provide for the repeal of all laws in conflict with this Act; and to provide an effective date for this Act.

Also:

By Reps. White (L) and Hall:

H. 439. Changing the name of the department of pensions and securities to the "Alabama state department of human resources" and providing for the efficient replacement of certain supplies used by such department.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B. 204—to the Committee on Health and Welfare

H. B. 439—to the Committee on Governmental Affairs

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Johnson (RW):

H. 62. To provide for criminal penalties and civil liability for the theft of certain cable television services, and to provide for the confiscation of certain equipment used in the theft of any such cable television services.

Also:

By Rep. Biddle:

H. 39. To provide circumstances when a person shall be guilty of committing the crime of submitting a false or fraudulent application for a certificate of qualification or license to practice medicine; to provide that any person guilty of the crime of submitting a false or fraudulent application shall be guilty of a Class C felony; to provide for the severability of the provisions of this Act; to provide for the repeal of all laws in conflict with this Act; and to provide an effective date for this Act.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B. 62—to the Committee on Small Business

H. B. 39—to the Committee on Judiciary

**REPORT OF SECRETARY**

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Bill delivered to the Governor, with the date and hour of delivery, to-wit:

S. B. 89

Delivered to the Governor, February 20, 1986, at 12:55 P.M.

McDOWELL LEE,  
Secretary of Senate.

**SECRETARY'S REPORT**

The foregoing report of the Secretary was read and ordered spread upon the Journal.

**ADJOURNMENT**

At 4 o'clock P.M., on motion of Senator Denton, pending further consideration of the Dixon substitute Motion in Writing for the Cabaniss Motion in Writing for B. I. R., S. B. 170, upon reaching the order of business of Report of Standing Committees, Rules Committee Report, the Senate adjourned until Tuesday, February 25, 1986, at 10:30 A.M.

## **THIRTEENTH LEGISLATIVE DAY**

**TUESDAY, FEBRUARY 25, 1986**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

### **PRAYER**

The Session was opened with prayer by the Reverend Lynn Matlack, Montgomery Christian Fellowship, Montgomery, Alabama.

### **PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Scott Karr, Prattville High School, Prattville, Alabama.

### **ROLL CALL**

Present:

Senators:	Cabaniss	Ellis	Little
Aldridge	Cooley	Figures	Menton
Amari	Corbett	Foshee	Mitchem
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hand	Sanders
Bedford	Denton	Hilliard	Smith (B)
Bedsole	Dial	Holmes	Smith (J)
Bennett	Dixon	Horn	Strong
Bishop	Drinkard	Langford	Teague

—35

### **JOURNAL**

On motion of Senator Parsons, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

### **REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twelfth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

### **COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Twelfth Legislative Day was approved by the Senate.

### **MOTION TO ADJOURN**

Senator Parsons moved that when the Senate adjourns today, it adjourn to meet again on Wednesday, February 26, 1986, at 12:01 A.M., which motion was adopted.

**INTRODUCTION OF BILLS**

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Teague (With Notice and Proof):

S. 506. Relating to Talladega County; providing further for banking business within said county; authorizing any bank which moves its principal offices from the county, into another county, to continue operations in Talladega County as a branch so as to not cause a hardship to its customers.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 506, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Teague:

S. 507. To further amend Section 16-25A-1, Code of Alabama 1975, as amended, relating to the health insurance for public education employees, so as to include the employees of the Alabama Institute for the Deaf and Blind.

Committee on Education.

By Senator Dial:

S. 508. To amend Section 36-26-17, of the Code of Alabama 1975 relating to the manner of filling vacancies in the classified service so as to provide the military preference in the appointment of eligibles from the list of names certified by the State Personnel Department Director.

Committee on Military Affairs.

By Senator Smith (B):

S. 509. To provide the State Department of Education the authority to enter into contracts for periods not greater than three years for the storage and distribution of the United States Department of Agriculture commodities.

Committee on Agriculture,  
Conservation, and Forestry.

By Senators Corbett, Hilliard, Figures, Langford, and Teague:

S. 510. To appropriate \$2,200,000.00 from the special educational trust fund in the state treasury during the 1986-1987 state fiscal year to Tuskegee University for maintenance and operations.

Committee on Finance and Taxation.

**REPORT OF  
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint



Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 41. CONGRATULATING THE ALEXANDRIA HIGH SCHOOL VALLEY CUBS, STATE 4A FOOTBALL CHAMPIONS FOR 1985.

Also:

S. J. R. 42. NAMING THE BYPASS TO ALABAMA HIGHWAY 20 THE "MARTIN LUTHER KING DRIVE."

Also:

S. J. R. 44. COMMENDING GAIL OGLE OF SELMA, ALABAMA, FOR OUTSTANDING ATHLETIC ACCOMPLISHMENT.

Also:

S. J. R. 45. HONORING SELMA, ALABAMA'S, DIAMOND, THE "GREAT AMERICAN DOG."

Also:

S. J. R. 48. COMMENDING THE FLOYD JUNIOR HIGH SCHOOL CHEERLEADERS ON THEIR NATIONAL CHAMPIONSHIP.

Also:

S. J. R. 49. COMMENDING JANE C. WALKER OF OPELIKA, ALABAMA, FOR OUTSTANDING ACHIEVEMENT AND COMMUNITY LEADERSHIP.

Also:

S. J. R. 50. HONORING MRS. BERTHA OVERTON OF WEDOWEE, ALABAMA, ON THE OCCASION OF HER 100TH BIRTHDAY.

Also:

S. J. R. 53. MOURNING THE DEATH OF BELLAIRE KRUDOP OF ANDALUSIA, ALABAMA.

Also:

S. J. R. 54. COMMENDING WILBUR L. BLACKMON, LEE COUNTY HISTORIAN.

Also:

S. J. R. 58. HONORING DARWIN E. SMITH, CHAIRMAN OF THE BOARD AND CHIEF EXECUTIVE OFFICER OF KIMBERLY-CLARK CORPORATION.

Also:

S. J. R. 63. COMMENDING SUSAN COURTNEY HEDGEPEETH, ALABAMA'S JUNIOR MISS 1986.

Also:

S. J. R. 65. PROCLAIMING FEBRUARY AS COMMUNITY COLLEGE MONTH IN ALABAMA.

Also:

S. J. R. 72. COMMENDING MILLIE MURPHREE OF OZARK, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

S. J. R. 73. COMMENDING STELLA TONEY WHITEHEAD OF DALE COUNTY, ALABAMA, OZARK VOTERS LEAGUE'S WOMAN OF THE YEAR.

Also:

S. J. R. 74. COMMENDING JACOB NELSON McLEOD OF DALE COUNTY, ALABAMA, OZARK VOTERS LEAGUE'S MAN OF THE YEAR.

Also:

S. J. R. 76. ENDORSING THE PROCLAMATION OF JANUARY 1986 AS MEDICAL EYE MONTH.

Also:

S. J. R. 77. MOURNING THE DEATH OF MRS. FLORENCE SANSON CABANISS OF BIRMINGHAM, ALABAMA.

Also:

S. J. R. 78. COMMENDING ROBERT D. WORD, JR., OF SCOTTSBORO, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Also:

S. J. R. 88. COMMENDING REESE CATER LEE, 1985 "FREE ENTERPRISE PERSON OF THE YEAR."

Also:

S. J. R. 89. MOURNING THE DEATH OF C. M. A. ROGERS, III, OF MOBILE, ALABAMA.

Also:

S. J. R. 93. MOURNING THE DEATH OF VERNON ZIONCHEK CRAWFORD OF MOBILE, ALABAMA.

Also:

S. J. R. 97. WELCOMING THE HMS BATTLEAXE, USS BRISCOE, FGS HESSEN, HMCS OTTAWA AND THE HNEMS TROMP, AND THEIR CREWS, TO THE PORT OF MOBILE AND THE STATE OF ALABAMA.

Also:

S. J. R. 101. COMMENDING LARKIN H. WADE OF AUBURN, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

S. J. R. 105. COMMENDING BURL HOLLIE "BOJACK" WARREN, JR. OF SUMITON, ALABAMA FOR EXTRAORDINARY COURAGE IN AID OF A LAW ENFORCEMENT OFFICER.

Also:

S. J. R. 122. COMMENDING MRS. PAT ANDERSON AND THE FOLEY HIGH SCHOOL COMPUTER CENTER FOR OUTSTANDING ACHIEVEMENT.

Also:

S. J. R. 125. MOURNING THE DEATH OF JOHN BUNYAN TOLAND OF MILLERVILLE, ALABAMA.

Also:

S. J. R. 127. COMMENDING DONNA BEVERLY OF ASHLAND, MISS TEEN OF ALABAMA.

Also:

S. J. R. 128. COMMENDING CHRISTINE GRIFFIN CALLAHAN FOR OUTSTANDING CONTRIBUTIONS TO PUBLIC EDUCATION AND THE LINEVILLE, ALABAMA, SCHOOLS.

Also:

S. J. R. 129. COMMENDING SOLON DIXON OF ANDALUSIA, ALABAMA.

Also:

S. J. R. 130. RECOGNIZING THE AMERICAN STERILIZER COMPANY (AMSCO) AND AMSCO/MONTGOMERY FOR OUTSTANDING CONTRIBUTIONS TO THE MONTGOMERY COMMUNITY AND THE STATE OF ALABAMA.

Also:

S. J. R. 131. COMMENDING THE CARVER CREATIVE AND PERFORMING ARTS CENTER, CARVER SENIOR HIGH SCHOOL, MONTGOMERY, ALABAMA.

Also:

S. J. R. 135. HONORING SCOTT CUNNINGHAM OF EIGHT MILE, ALABAMA, THE MARCH OF DIMES NATIONAL AMBASSADOR AND 1985-86 POSTER CHILD.

Also:

S. J. R. 136. COMMENDING OTHO ROWLES, SAM WEATHERLY, JOHN WARREN AND NELL THRASHER.

Also:

S. J. R. 137. INVITING THE HONORABLE GEORGE C. WALLACE, GOVERNOR OF ALABAMA, TO ADDRESS THE LEGISLATURE.

CHARLES BISHOP,  
Chairperson.

### SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of

a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

### REPORTS OF COMMITTEES

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Rep. Coburn (With Substitute):

H. 377. To provide conditional appropriations of \$14,367,400 to certain state agencies for the fiscal year ending September 30, 1986; and to provide that certain provisions of this act shall be retroactive.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that the following Bills have been placed on the Consent Calendar for today, to-wit:

By Senator Denton:

S. 25. To amend Section 36-27-16, Code of Alabama 1975, relating to the state employees' retirement system, so as to provide the same retirement mandates, qualifications and benefits for state aircraft pilots that are provided for state policemen.

By Senator Denton:

S. 276. To amend Section 40-12-198 of the Code of Alabama 1975, as amended, relating to the marking of vehicles operated by private and for-hire carriers.

By Senator Ellis (With Amendment):

S. 316. To amend Section 28-3A-11 of the Code of Alabama 1975, relating to lounge retail liquor license so as to create a separation of package retail liquor license from the lounge retail liquor license.

By Senator Bedford:

S. 269. To authorize any county commission to establish the office of supernumerary county commissioner; to prescribe the qualifications and the duties of such officer; to provide notice to the public for the intention thereof; and to prescribe the benefits of such officer.

By Senators Bailey, Denton, Smith (J), and Bishop:

S. 344. To amend Section 2 of Act No. 85-124 which made certain appropriations from the general fund, so that the balance of the appropriation made to the Children's Trust Fund shall not revert at the end of the fiscal year.

By Senators Bailey, Mitchem, Hand, Bedford, Dial, deGraffenried, Langford, Foshee, Covington, Little, Aldridge, Denton, Teague, Goodwin, Menton, and Barron (With Amendment):

S. 235. To provide for the foster children of the state of Alabama an annual school clothing and supplies allowance.

By Senators Aldridge and Denton:

S. 206. Relating to "The Lifesaving Organ Procurement Act of 1986", to state the Legislative intent; to define the word "organ" and "attending physician", to better provide for the public health by providing that on the occurrence of death of a patient in a hospital, who has not made an anatomical gift to take place upon death, the hospital administrator, or designated representative to request, of specified survivors, in accordance with Section 22-19-42 (b), Code of Alabama, 1975, in the order of priority stated, and when persons in prior classes are not available at the time of death, and in the absence of actual notice to the contrary by the decedent or one in a prior class, to consent to the gift of organs of the decedent's body; to provide such request and its disposition shall be noted in the patient's medical record; to provide, where, based upon medical criteria that such a request would not yield an anatomical gift which would be suitable for use, or, where, based upon the special and peculiar knowledge of the attending physician and/or concerning the circumstances surrounding the death of the patient, there is an exception to the request required by this Article and such determination shall be noted in the patient's medical record; to provide for immunity from civil damages or criminal prosecution to any person who acts in good faith accord; and to provide that the provisions of this Article are cumulative and, insofar as possible, shall be construed in pari materia with other laws relating to the public health and anatomical gifts.

By Senators Aldridge and Denton (With Substitute):

S. 214. Relating to the acquisition and transportation and transplantation of donor organs; to state the legislative intent; to define the terms chairman, person, quality assurance, organ and service; to provide that the chairman is to establish policies, procedures and standards and certify compliance with the established quality assurance standards of persons engaging in organ acquisition, and/or transportation, and/or transplantation but Chairman shall not certify a person until that person possesses and demonstrates to the Chairman the necessary knowledge and technical skills to comply with the established standards of quality assurance; to provide that persons providing any service pertaining to the acquisition and/or transportation and/or transplantation of organs shall strictly adhere to and follow established quality assurance standards; to provide for sanctions for persons providing services in violation of the established policies and procedures and standards of the Chairman for quality assurance in that they shall not receive reimbursement for such services from programs administered by the State of Alabama, and that Chairman will recommend to other reimbursing agencies that reimbursement be denied; to provide for immunity from civil damages or criminal prosecution to any person who, in good faith, follows the policies and procedures and standards established by the Chairman, and complies with the provisions of the Alabama Uniform Anatomical Gift Act; and to provide the Article is cumulative and to be construed in pari materia with other laws relating to the public health and anatomical gifts and when standards of quality assurance are adopted by the federal government, Alabama standards shall be consistent with federal regulations.

By Senator Covington:

S. 304. To amend Sections 36-20-3 and 36-20-31 of the Code of Alabama 1975, which sections relate to surety bond requirements for county and state at large notaries public, respectively, so as to increase the dollar amount of such bonds.

By Senator Ellis:

S. 336. To amend section 12-17-213, Code of Alabama 1975, which section relates to minimum service time required to qualify for supernumerary district attorney status, so as to provide further for the said minimum service time requirements.

By Senators Strong, Corbett, Langford, and Teague:

S. 184. To require the Department of Pensions and Security to charge a \$1,000.00 (One Thousand Dollar) fee to be assessed as costs against the parties for investigation services performed in any cases involving adoption. This fee shall not apply to investigation services for cases in which a child was placed for adoption by the Department of Pensions and Security.

By Senators Strong, Langford, and Hand (With Amendment):

S. 136. To create the Mowa Choctaw Housing Authority; provide for the terms of the members and officers of the Authority; and provide for the powers of the Authority.

By Senator Parsons:

S. 296. To prohibit persons from wilfully harassing or interfering with persons lawfully hunting wild game in this state; and to prescribe penalties.

By Senator Corbett:

S. 106. To require the Department of Pensions and Security to charge a fee of \$20.00 (Twenty Dollars) per hour to be assessed as costs against the parties for investigation services performed in any cases involving divorce or divorce modifications.

By Senators Corbett, Drinkard, Bedsole, Hilliard, Menton, Teague, Bennett, Strong, Horn, Bedford, Aldridge, Barron, Dial, Ellis, deGraffenried, Smith (J), Foshee, Covington, Goodwin, Langford, Hand, Cooley, Bishop, and Parsons:

S. 341. Changing the name of the department of pensions and securities to the "Alabama state department of human resources" and providing for the efficient replacement of certain supplies used by such department.

By Senator Bedsole:

S. 29. To establish the Timber Theft Equipment Condemnation law of the State of Alabama and to further set forth a procedure whereby vehicles and equipment used in connection with timber theft may be condemned by appropriate authorities and the same sold or awarded by court order to the State Forester for use or resale in enforcement of theft laws of the State of Alabama wherein timber or lumber are the stolen items.

By Senator Smith (J):

S. 98. To amend Section 22-50-22, Code of Alabama 1975, which exempts the superintendent of, or a physician of, the mental health board from being a witness in certain cases, so as to permit depositions to be taken by the plaintiffs, defendants or the state or the superintendent or any physician of a state mental health facility or hospital in criminal and civil proceedings, upon proper notice.

By Senator Smith (J):

S. 97. To amend Section 13A-10-30, which defines certain terms in the criminal code, so as to further define the term "escape"; provides that escape while on work release shall constitute a felony; and repeals Sections 14-8-42 and 14-8-67, Code of Alabama 1975.

### UNFINISHED BUSINESS

The Senate proceeded to further consideration of the Unfinished Business for today, which was the Dixon substitute Motion in Writing for the Cabaniss Motion in Writing for B. I. R., S. B. 170, upon reaching the order of business of Report of Standing Committees, Rules Committee Report for the Thirteenth Legislative Day.

### RESOLUTIONS

Senator Denton offered the following Senate Resolutions, to-wit:

S. R. 155. COMMENDING GARY HEATHCOCK OF NORTHWEST ALABAMA JUNIOR COLLEGE IN PHIL CAMPBELL.

Also:

S. R. 156. COMMENDING MARIE RABURN OF NORTHWEST ALABAMA JUNIOR COLLEGE IN PHIL CAMPBELL.

Also:

S. R. 157. COMMENDING SONYA BARTLETT OF NORTHWEST ALABAMA JUNIOR COLLEGE IN TUSCUMBIA.

Also:

S. R. 158. COMMENDING JAMES HANVEY OF NORTHWEST ALABAMA JUNIOR COLLEGE IN TUSCUMBIA.

Which were filed.

Senators Bedsole and Menton offered the following Senate Resolution, to-wit:

S. R. 159. COMMENDING RUSSELL R. STEINER, WORLD TRADE PERSON OF THE YEAR FOR 1985.

Which was filed.

Senator Denton offered the following Senate Resolution, to-wit:

S. R. 160. COMMENDING TERESA CASIDAY OF NORTHWEST ALABAMA JUNIOR COLLEGE.

Which was filed.

### QUORUM CALL REQUESTED

At 6 o'clock P.M., Senator Cabaniss requested that the President and Presiding Officer ascertain the presence of a quorum.

On a call of the roll, the following Senators responded to their names:

Senators:	Corbett	Foshee	Little
Amari	Covington	Goodwin	Menton
Bailey	deGraffenried	Hand	Parsons
Bedford	Denton	Hilliard	Sanders
Bedsole	Dial	Holmes	Smith (B)
Bishop	Dixon	Langford	Strong
Cabaniss	Figures		

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### FURTHER CONSIDERATION OF UNFINISHED BUSINESS

The Senate proceeded to further consideration of the Unfinished Business for today, which was the Dixon substitute Motion in Writing for the Cabaniss Motion in Writing for B. I. R., S. B. 170. The question was on the Dixon substitute Motion in Writing.

And said substitute Motion in Writing to postpone B. I. R., S. B. 170, for four Legislative Days was lost.

Yeas 5; Nays 2.

Yeas:

Senators:	Cabaniss	Dixon	Hand
Bedsole	Dial		

—5

Nays:

Senators:	Corbett	Mitchem
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The Presiding Officer of the Senate declared the absence of a quorum voting.

### REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. J. R. 41	S. J. R. 72	S. J. R. 105
S. J. R. 42	S. J. R. 73	S. J. R. 122
S. J. R. 44	S. J. R. 74	S. J. R. 125
S. J. R. 45	S. J. R. 76	S. J. R. 127
S. J. R. 48	S. J. R. 77	S. J. R. 128
S. J. R. 49	S. J. R. 78	S. J. R. 129
S. J. R. 50	S. J. R. 88	S. J. R. 130
S. J. R. 53	S. J. R. 89	S. J. R. 131
S. J. R. 54	S. J. R. 93	S. J. R. 135
S. J. R. 58	S. J. R. 97	S. J. R. 136
S. J. R. 63	S. J. R. 101	S. J. R. 137
S. J. R. 65		

Delivered to the Governor, February 25, 1986, at 4:25 P.M.

McDOWELL LEE,  
Secretary of Senate.



**SECRETARY'S REPORT**

The foregoing report of the Secretary was read and ordered spread upon the Journal.

**ADJOURNMENT**

At 7:15 P.M., the Chair ruled in the absence of a quorum, in accordance with Motion heretofore adopted and pending further consideration of the Cabaniss Motion in Writing for B. I. R., S. B. 170, upon reaching the order of business of Reports of Standing Committees, Rules Committee Report, the Senate stand in adjournment until Wednesday, February 26, 1986, at 12:01 A.M.

**FOURTEENTH LEGISLATIVE DAY  
WEDNESDAY, FEBRUARY 26, 1986**

The Senate met pursuant to adjournment, President Pro Tempore Teague presiding.

**PRAYER**

The Session was opened with prayer by the Reverend Jiles Williams, Jr., Pastor, New Providence Baptist Church, Montgomery, Alabama.

**PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Carl Andre Petty, Alabama State University, Montgomery, Alabama.

**ROLL CALL**

Present:

Senators:	Cabaniss	Ellis	Little
Aldridge	Cooley	Figures	Menton
Amari	Corbett	Foshee	Mitchem
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hand	Sanders
Bedford	Denton	Hilliard	Smith (B)
Bedsole	Dial	Holmes	Smith (J)
Bennett	Dixon	Horn	Strong
Bishop	Drinkard	Langford	Teague

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**JOURNAL**

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

**COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Thirteenth Legislative Day was approved by the Senate.

**MOTION IN WRITING**

Senator Drinkard offered the following Motion in Writing, to-wit:

When we adjourn, we adjourn to 12:01 A.M., Thursday, February 27, 1986.

Which was read and referred to the Standing Committee on Rules.

### INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Ellis (With Notice and Proof):

S. 511. Relating to the Town of Vincent in Shelby County, Alabama; prescribing certain regulations for the management and investment of certain proceeds from the sale of said town's gas distribution system in the event the town gas board places such proceeds in a certain trust fund and prescribing penalties for misuse of such proceeds by appointed or elected officers in such town.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 511, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Strong:

S. 512. To amend section 40-18-20, Code of Alabama 1975, which provides for an exemption from state and local income taxes of certain amounts of military retirement benefits paid to military retirees, so as to provide a comparable exemption for certain payments made to former spouses of said retirees.

Committee on Finance and Taxation.

By Senator Covington:

S. 513. To propose a law to limit the amount of damages an employee of a governmental entity may suffer as a result of acts committed within the line and scope of his employment and to limit such liability to those acts involving willful conduct.

Committee on Judiciary.

By Senators Little and deGraffenried:

S. 514. The Uniform Transfers to Minors Act expands the scope of the Uniform Gifts to Minors Act to extend custodial mechanism so that it is available for a wider range of property interests and transactions. The Act repeals the present Uniform Gifts to Minors Act in Code of Alabama (1975) Sections 35-5-1 through 35-5-10, as amended.

Committee on Finance and Taxation.

### RESOLUTION

Senators Bennett and Horn offered the following Senate Joint Resolution, to-wit:

S. J. R. 161. COMMENDING HENRY E. CRUMPTON FOR OUTSTANDING COMMUNITY SERVICE.

WHEREAS, Henry E. Crumpton, president of the Powderly Neighborhood and the Southwest Community Citizen Participation Committees, was recently honored with a Community Appreciation Day; and

WHEREAS, a resident of the Powderly area of Birmingham for the past 35 years, Mr. Crumpton has rendered outstanding community service both on political, recreational and civic fronts; and

WHEREAS, his long list of community service includes that of chief election inspector, Democratic Committeeman, and membership on the Citizen's Advisory Board for the City of Birmingham and the Ensley-Fairview Advisory Council for the Jefferson County Committee for Economic Opportunity; and

WHEREAS, Mr. Crumpton also serves as president of the Southwest Recreation Corporation which provides recreational opportunity for more than 530 young people including baseball, football and basketball; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Henry E. Crumpton is hereby commended for three decades of outstanding community service; and

BE IT FURTHER RESOLVED, That the Legislature expresses its continuing gratitude to Mr. Crumpton—and his wife, Mattie L. Crumpton—for the fine examples of good citizenship both have shown over the years.

On motion of Senator Bennett, the Rules were suspended and the Resolution was adopted by the Senate.

#### MOTION IN WRITING

Senator Drinkard offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 398, on page 72 of the Fourteenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 398, referred to the Standing Committee on Rules for placement on the Consent Calendar.

#### RESOLUTION

Senator Covington offered the following Senate Joint Resolution, to-wit:

S. J. R. 162. COMMENDING BERTA KINGSLEY BLACKWELL OF OZARK, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

WHEREAS, in consensus of commendation, the Alabama Legislature notes the selection of Berta Kingsley Blackwell of Ozark, Alabama, as Ozark's Woman of the Year for 1985-86, a prestigious designation of the Twentieth Century Club in recognition of Mrs. Blackwell's numerous contributions to the community; and

WHEREAS, a lifelong resident of Ozark and a graduate of Carroll High School, Berta Blackwell received the A.S. degree from Averett College in Danville, Virginia, and the B.S. degree from Virginia Commonwealth University in Richmond; and

WHEREAS, Mrs. Blackwell, former Chief Probation Officer with Dale County Youth Services and a 1980-81 selection as the Outstanding Young Law Enforcement Officer, currently serves as Program Coordinator for STRATE with the Alabama Department of Youth Services and is professionally affiliated with such organizations as Alabama Council on Crime and Delinquency, Alabama Juvenile Justice Association, Dale County Alcohol and Drug Abuse Foundation, Inc., and Southeast Alabama Youth Services, among others; and

WHEREAS, though steadfastly supportive in numerous areas of concern to the Ozark community, Mrs. Blackwell has been most particularly prominent in the development of STRATE (Sub-Teens Recreational Activities to Educate) to provide substance abuse education to pre-teens, and the Ozark STRATE program, initiated by Mrs. Blackwell, is to be used as a model for ten additional such programs throughout Alabama; and

WHEREAS, Mrs. Blackwell further has contributed to the well-being of the community as program director and coordinator for Law and Court Observance Week; through her instrumental role in the formation of special classes of substance abuse information for juveniles; the initiation of the "Guardian Angels" programs to help low income clients served by the court; and the development and implementation of the "Study Buddies", a volunteer study assistance program for junior high students; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of distinguished community services and outstanding professional achievement, we hereby most highly commend Berta Kingsley Blackwell of Ozark, Alabama, whom we hold in highest regard and to whom a copy of this resolution shall be forwarded.

On motion of Senator Covington, the Rules were suspended and the Resolution was adopted by the Senate.

### MOTIONS IN WRITING

Senator Dixon offered the following Motions in Writing, to-wit:

I move that the Bill, S. B. 369, on page 36 of the Fourteenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 369, referred to the Standing Committee on Rules for placement on the Consent Calendar.

I move that the Bill, S. B. 299, on page 41 of the Fourteenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 299, referred to the Standing Committee on Rules for placement on the Consent Calendar.

### RESOLUTIONS

Senator Covington offered the following Senate Joint Resolution, to-wit:

S. J. R. 163. COMMENDING W. S. BAREFIELD OF OZARK, ALABAMA, FOR OUTSTANDING COMMUNITY CONTRIBUTIONS.

WHEREAS, the Legislature of Alabama extends heartiest congratulations to W. S. (Bill) Barefield of Ozark, Alabama, on his selection as Ozark's Man of the Year for 1985-86, a prestigious designation by the Twentieth Century Club in recognition of Mr. Barefield's notable contributions to the community; and

WHEREAS, a longtime employee of the City of Ozark, now retired, Bill Barefield has been most particularly of service to the community during the Christmas season, having participated in the citywide Yuletide decoration project since 1937, with the exception of his four years of military service during World War II; he also is Ozark's very own "special Santa Claus" during the annual Christmas parade and, throughout the season, visits hospitals and nursing homes and distributes presents during various programs and meetings; and

WHEREAS, Bill Barefield further has worked full time as a volunteer fireman since 1963; is a longtime supporter of Red Cross blood drives and a 20-gallon donor and has served as Disaster Chairman of the Dale County Chapter of the American Red Cross; and

WHEREAS, he also has worked as a volunteer with the Ozark Rescue Squad and the Drug and Alcohol Abuse Program; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we join with the City of Ozark and citizens thereof, and with the Twentieth Century Club, in recognizing W. S. (Bill) Barefield for outstanding community service, and direct that he receive a copy of this resolution of commendation, expressing the Legislature's highest esteem and its sincere regard of his steadfast support of the needs of others.

On motion of Senator Covington, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Goodwin offered the following Senate Joint Resolution, to-wit:

S. J. R. 164. COMMENDING ANN MAJORS WOOD OF SELMA, ALABAMA.

WHEREAS, the Legislature of Alabama expresses highest commendation of Ann Majors Wood of the Family and Children's Service at the Dallas County Department of Pensions and Security; and

WHEREAS, Ms. Wood, who is supervisor of the Dallas County department, recently was recognized with the bestowal of the State of Alabama Commissioner's Merit Award and was cited for her assistance to the Selma Police Department in the Spring of 1985; and

WHEREAS, Ms. Wood is credited with resolving a dangerous and potentially volatile situation involving a distraught mental patient who had injured a Selma police officer and had threatened to harm her infant child; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we join with the Alabama Department of Pensions and Security board in expressing highest commendation of Ann Majors Wood for outstanding and heroic actions in assisting the Selma, Alabama, Police Department, and direct that she receive a copy of this resolution, bestowed in sincere admiration and highest personal regard.

On motion of Senator Goodwin, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Goodwin then offered the following Senate Joint Resolution, to-wit:

**S. J. R. 165. COMMENDING THE ALABAMA EMPLOYMENT SERVICE IN SELMA, ALABAMA.**

WHEREAS, to be noted with highest commendation is the recent placement productivity award granted the Alabama State Employment Service Center in Selma, Alabama; and

WHEREAS, the Selma agency was recognized for its work in matching 2,157 unemployed people with available jobs from July to December 1985; and

WHEREAS, this commendable record represents the highest productivity for a service district in the entire state, for the six-month period, and averages 267.78 work placements per employee in the Selma district office; and

WHEREAS, Manager Monroe Quinney and his capable staff are indeed deserving of highest praise for their dedicated efforts on behalf of the unemployed, and for their outstanding contribution to the reduction of the high unemployment rate for the State of Alabama; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That we hereby most highly commend the Alabama State Employment Service in Selma, Alabama, for outstanding achievement, and direct that a copy of this resolution be forwarded to Mr. Quinney on behalf of his dedicated staff.

On motion of Senator Goodwin, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Goodwin then offered the following Senate Joint Resolution, to-wit:

**S. J. R. 166. COMMENDING DAVID MULLINS OF SELMA, ALABAMA'S EASTER SEAL POSTER CHILD.**

WHEREAS, the Legislature of Alabama is pleased to note the selection of David Mullins of Selma, Alabama, as our State Easter Seal Poster Child; and

WHEREAS, seven-year-old David, who is the son of Mr. and Mrs. Ronald Mullins, moved with his family from Paducah, Kentucky, several years ago and is now a first grade student at Cedar Park Elementary School; and

WHEREAS, David Mullins was born with cerebral palsy and was the first child to enter the West Central Alabama Rehabilitation Center's special preschool education program, sponsored by United Way and the Clara Weaver Parrish Trust of Saint Paul's Episcopal Church; and

WHEREAS, David is indeed a shining example of the results of special help for children with developmental problems which enables them to enter regular school classes, and he is an outstanding young ambassador for Alabama in its Easter Seal campaign to aid crippled children and adults; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend David Mullins of Selma, Alabama, as our state Easter Seal Poster Child and direct that both he and his parents receive copies of this resolution, executed in sincere admiration and warmest personal regard.

On motion of Senator Goodwin, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Goodwin then offered the following Senate Joint Resolution, to-wit:

S. J. R. 167. COMMENDING JAMES H. WILLIAMS OF SELMA, ALABAMA, AS "CITIZEN OF THE YEAR."

WHEREAS, in consensus of commendation, the Legislature of Alabama notes the selection of James H. Williams of Selma, Alabama, as "Citizen of the Year," a prestigious designation of Zeta Phi Beta sorority; and

WHEREAS, Dr. Williams, who attended Virginia Union University and dental school at Meharry Medical College in Nashville, Tennessee, has been engaged in the private practice of dentistry in Selma since 1943 and is a member of both the Alabama Dental Society and the National Dental Association; and

WHEREAS, a member of Alpha Phi Alpha fraternity, Dr. Williams also is a charter member of the Brown YMCA board, and of the Pride of Alabama Elks Lodge which he served as treasurer for 23 years; and

WHEREAS, he further is a member of Brown Chapel AME Church, where he has served as steward and lay member of the general conference of the AME church since 1944, and he has served as well on the committee for the Selma municipal complex, as the first president of the Selma-Dallas County Credit Union, and with the Head Start program from its inception until 1985; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we join with Zeta Phi Beta sorority and the citizens of Selma, Alabama, in honoring Dr. James H. Williams as "Citizen of the Year."

BE IT FURTHER RESOLVED, That in small token of our esteem for his accomplishments and contributions to the community, a copy of this resolution shall be forwarded to Dr. Williams.

On motion of Senator Goodwin, the Rules were suspended and the Resolution was adopted by the Senate.

#### MOTIONS IN WRITING

Senator Barron offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 392, on page 64 of the Fourteenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 392, referred to the Standing Committee on Rules for placement on the Consent Calendar.



Senator Langford offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 40, on page 39 of the Fourteenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 40, referred to the Standing Committee on Rules for placement on the Consent Calendar.

### BUDGET ISOLATION RESOLUTION

On motion of Senator Bennett, the Rules were suspended and the B. I. R., H. B. 377, was adopted by the Senate.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bennett	Drinkard	Little
Aldridge	Bishop	Foshee	Menton
Amari	Cabaniss	Goodwin	Parsons
Bailey	Corbett	Holmes	Sanders
Barron	Denton	Horn	Strong
Bedford	Dial	Langford	Teague
Bedsole	Dixon		

—25

*Nays:*

—0

### RESOLUTION

Senator Little offered the following Senate Resolution, to-wit:

S. R. 168. MOURNING THE DEATH OF MRS. HAZEL FULLER WINSLETT OF CAMP HILL, ALABAMA.

Which was filed.

### BILLS ON THIRD READING

Senator Bishop requested and received permission to suspend the Rules in order to bring up the Bill:

H. 377. To provide conditional appropriations of \$14,367,400 to certain state agencies for the fiscal year ending September 30, 1986; and to provide that certain provisions of this act shall be retroactive.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, H. B. 377, to-wit:

### SUBSTITUTE FOR H. B. 377

#### A BILL TO BE ENTITLED AN ACT

To provide a supplemental appropriation of \$7,600,000 to the Department of Pensions and Security from the State General Fund for FY 1985-86 and to provide a conditional appropriation of \$6,750,000 to the Department of Pensions and Security from the State General Fund for FY 1985-86 to pay awards made by the Board of Adjustment due to the default of payments

to state agencies by the Department of Pensions and Security in FY 1984-85; and to provide that certain provisions of this act shall be retroactive.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. In addition to all other appropriations heretofore or hereafter made, there is hereby appropriated to the Department of Pensions and Security from the State General Fund the amount of \$7,600,000 for the fiscal year ending September 30, 1986. The intent of this appropriation is to insure adequate staffing of county offices and to continue the former "Title XX" Day Care Program.

Of this amount, \$1,100,000 is hereby appropriated to be used solely for the purpose of providing performance salary advances for employees of the Department of Pensions and Security. These funds shall be used solely to make payments for the salary of any employee who otherwise qualifies during the fiscal year 1985-86 for a performance salary adjustment within their assigned pay range, but may not receive such salary adjustment due to a declaration by the department that funds are unavailable for such purpose. It being the intent of the Legislature that appropriate compensation to such employees shall be retroactive from the time the performance salary advancement was due.

Section 2. (a) The Board of Adjustment, during the fiscal year 1985-86, shall hear and issue decisions on claims made against it by state agencies concerning obligations owed to them by the Department of Pensions and Security from fiscal year 1984-85. Each department may submit to the Board of Adjustment a claim setting out the total amount owed to them by the Department of Pensions and Security, and any other information as may be required by the Board of Adjustment for its findings of fact and its findings and awards as to the amount of payment.

(b) In addition to all other appropriations heretofore or hereafter made, there is hereby conditionally appropriated to the Department of Pensions and Security, Social Services Program from the State General Fund the amount of \$6,750,000 for the fiscal year ending September 30, 1986, to be utilized for payment of awards which may be made by the Board of Adjustment due to the default of payments to state agencies by the Department of Pensions and Security in the fiscal year ending September 30, 1985.

(c) Such funds as set out above are conditional upon the availability of funds in the State General Fund and shall remain in the State General Fund until said funds have been awarded by the Board of Adjustment and the release of said funds has been determined and recommended by the Finance Director and approved by the Governor.

Section 3. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declarations shall not affect the part which remains.

Section 4. All law or parts of laws which conflict with this Act are hereby specifically repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

REGULAR SESSION  
14th Day

485

Yeas 29; Nays 0.

Yeas:

Senators:	Bishop	Drinkard	Langford
Aldridge	Cabaniss	Figures	Little
Amari	Corbett	Foshee	Menton
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hilliard	Sanders
Bedford	Denton	Holmes	Strong
Bedsole	Dial	Horn	Teague
Bennett	Dixon		

—29

Nays: —0

On motion of Senator deGraffenried, further consideration of the Bill, H. B. 377, as thus amended by the substitute, was postponed subject to the call of the Chair.

**FURTHER CONSIDERATION OF S. J. R. 86**

The Senate proceeded to further consideration of the Resolution:

S. J. R. 86. TO CLARIFY THE INTENT OF THE LEGISLATURE TO FUND MENTAL RETARDATION AND MENTAL HEALTH COMMUNITY PROGRAMS.

said Resolution having been postponed subject to the call of the Chair on the Seventh Legislative Day.

Senator deGraffenried moved that said Resolution be postponed subject to the call of the Chair.

Senator Figures moved that the motion to postpone be laid on the table, which motion was lost.

The question recurred on the motion of Senator deGraffenried, that the Resolution, S. J. R. 86, be postponed subject to the call of the Chair, which motion was adopted.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Carothers (With Notice and Proof):

H. 466. Relating to Houston County; to regulate the election and tenure of the Houston County Commission; to provide for the at-large election of a full-time chairman of said commission; to provide for the election of part-time associate county commissioners from four election districts; to provide for qualifications and residency requirements; to provide for the filling of vacancies in such offices; and to provide for the creation of four county commission districts.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 466, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 466—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Rep. Biddle:

H. B. 179. Relating to the acquisition and/or transportation of donor organs retrieved in Alabama; to state the legislative intent; to define the terms chairman, person, quality assurance, organ and service; to provide that the chairman is to establish policies, procedures and standards and certify compliance with the established quality assurance standards of persons engaging in organ acquisition, and/or transportation, of organs retrieved in Alabama; but Chairman shall not certify a person until that person possesses and demonstrates to the Chairman the necessary knowledge and technical skills to comply with the established standards of quality assurance; after Chairman establishes and promulgates initial standards of quality assurance, Chairman is to circulate proposed updating of quality assurance standards to institutions then performing organ transplantation, but Chairman shall still have final and sole decision to establish and promulgate whatever appropriate for updating standards of quality assurance; to provide that persons providing any service pertaining to the acquisition and/or transportation of organs retrieved in Alabama shall strictly adhere to and follow established quality assurance standards; to provide for sanctions for persons providing services in violation of the established policies and procedures and standards of the Chairman for quality assurance in that they shall not receive reimbursement for such services from programs administered by the State of Alabama, and that Chairman will recommend to other reimbursing agencies that reimbursement be denied; to provide for immunity from civil damages or criminal prosecution to any person who, in good faith, follows the policies and procedures and standards established by the Chairman, and complies with the provisions of the Alabama Uniform Anatomical Gift Act; and to provide the Article is cumulative and to be construed in pari materia with other laws relating to the public health and anatomical gifts and when standards of quality assurance are adopted by the federal government, Alabama standards shall be consistent with federal regulations.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 179—to the Committee on Health and Welfare

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Faulk (With Notice and Proof):

H. 577. To authorize the governing body of Butler County, Alabama, to levy and collect special county privilege and license taxes, paralleling the state sales taxes provided for in Division 1 of Article 1 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, and special county excise taxes paralleling the state use taxes provided for in Article 2 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, upon approval of the electors of the county at an advisory referendum; to specify the rates at which such taxes may be levied; to provide for the ascertainment, collection, payment, and distribution and use of the proceeds of the said taxes if levied by the said governing body; to provide for the enforcement of this act by the State Department of Revenue; and to provide for an election to determine if a majority of the electors voting at said election favor authorizing the governing body to levy such taxes.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 577, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 577—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Reps. Albright, Grayson, Coburn, Drake, Browder, Perdue, Rogers, Spratt, Lauderdale, Dutton, Buskey (James), Clark (W), Box, Bryant, Nicholson, Brakefield, and Britnell:

H. 513. To amend Section 25-4-72, Code of Alabama 1975, as last amended, so as to increase the maximum individual weekly unemployment compensation benefit to \$135.00 effective July 6, 1986, and to provide that such weekly rates be computed based upon the wages paid to an individual during the two quarters of his base period during which his wages were highest.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 513—to the Committee on Business and Labor Relations

**UNFINISHED BUSINESS**

The Senate proceeded to further consideration of the Unfinished Business for today, which was the Cabaniss Motion in Writing for B. I. R., S. B. 170, upon reaching the order of business of Report of Standing Committees, Rules Committee Report for the Fourteenth Legislative Day.

Senator Dixon offered the following substitute Motion in Writing, for the Cabaniss Motion in Writing, to-wit:

**SUBSTITUTE MOTION IN WRITING**

I move that we carry over B. I. R. to S. B. 170 for three Legislative Days.

Which was lost.

Yeas 7; Nays 15.

*Yeas:*

Senators:	Cabaniss	Dial	Hand	
Bedsole	Denton	Dixon	Smith (B)	—7

*Nays:*

Senators:	Drinkard	Hilliard	Parsons	
Amari	Figures	Horn	Smith (J)	
Bennett	Foshee	Little	Strong	
deGraffenried	Goodwin	Menton	Teague	—15

**MOTION IN WRITING**

Senator Parsons offered the following Motion in Writing, to-wit:

When we adjourn, we adjourn to 12:02 A.M. Thursday, February 28, 1986.

Which was read and referred to the Standing Committee on Rules.

**FURTHER CONSIDERATION OF UNFINISHED BUSINESS**

The Senate proceeded to further consideration of the Unfinished Business for today, which was the Cabaniss Motion in Writing for B. I. R., S. B. 170.

Senator Hand offered the following substitute Motion in Writing, for the Cabaniss Motion in Writing, to-wit:

**SUBSTITUTE MOTION IN WRITING**

I move that we carry over the B. I. R. to S. B. 170, for (2) two legislative days.

**STATEMENT BY PRESIDING OFFICER**

The President and Presiding Officer of the Senate requested that the Journal reflect that Senator Figures had a Bill relating to an oil situation involving the Hatter's Pond Oil Field in which his law firm had represented one of the parties on the same subject as the legislation. Chair stated that at that time it was not the proper time for introduction of bills and the bill was not assigned to committee.

Chair asked that every Senator's name be placed in a container, and that one would be drawn out, and that person would be asked to preside and assign Senator Figures' bill to a committee, either when it is introduced in the Senate or when the companion bill comes over from the House if in fact the House passes the legislation. Because of the involvement of his law firm the Chair is recusing himself from having anything to do with this bill. The Chair then requested the secretary to place the name of every senator in a hat and drew out the name of Senator Bennett. The Chair then appointed Senator Bennett to make every decision concerning this legislation.

**FURTHER CONSIDERATION OF UNFINISHED BUSINESS**

The Senate proceeded to further consideration of the Unfinished Business for today, which was the substitute Motion in Writing for the Cabaniss Motion in Writing for B. I. R., S. B. 170. The question was on the Hand substitute Motion in Writing.

**QUORUM CALL REQUESTED**

At 4:54 P.M., Senator Dixon requested that the Presiding Officer ascertain the presence of a quorum.

On a call of the roll, the following Senators responded to their names:

Senators:	Cabaniss	Ellis	Menton
Amari	Corbett	Figures	Parsons
Bedford	deGraffenried	Hilliard	Sanders
Bennett	Dixon	Horn	Strong
Bishop	Drinkard	Little	

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**FURTHER CONSIDERATION OF UNFINISHED BUSINESS**

The Senate proceeded to further consideration of the Unfinished Business for today, which was the substitute Motion in Writing for the Cabaniss Motion in Writing for B. I. R., S. B. 170. The question was on the Hand substitute Motion in Writing.

On motion of Senator Corbett, the Hand substitute Motion in Writing was laid on the table.

Yeas 16; Nays 5.

Yeas:

Senators:	deGraffenried	Figures	Menton
Bedford	Denton	Hilliard	Parsons
Bennett	Drinkard	Horn	Sanders
Bishop	Ellis	Little	Strong
Corbett			

— 16

*Nays:*

Senators:	Bedsole	Dixon	Hand	
Barron	Cabaniss			—5

Senator Cabaniss offered the following substitute Motion in Writing, for his Motion in Writing, to-wit:

### **SUBSTITUTE MOTION IN WRITING**

I move that we carry over the B. I. R. to Senate Bill 170 for 1 legislative day.

### **ADJOURNMENT**

The hour of midnight having arrived, pending further consideration of the Cabaniss substitute Motion in Writing for the Cabaniss Motion in Writing for the B. I. R., S. B. 170, upon reaching the order of business of Reports of Standing Committees, Rules Committee Report, the Senate adjourned until Thursday, February 27, 1986, at 10 o'clock A.M.



**FIFTEENTH LEGISLATIVE DAY**  
**THURSDAY, FEBRUARY 27, 1986**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

**PRAYER**

The Session was opened with prayer by the Reverend Bill Butler, Pastor, First Baptist Church, Dora, Alabama.

**PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Scott Cunningham, Shilo Christian School, Eight Mile, Alabama.

**ROLL CALL**

Present:

Senators:	Cabaniss	Figures	Menton
Aldridge	Cooley	Foshee	Mitchem
Amari	Corbett	Goodwin	Parsons
Bailey	Covington	Hand	Sanders
Barron	deGraffenried	Hilliard	Smith (B)
Bedford	Denton	Holmes	Smith (J)
Bedsole	Dial	Horn	Strong
Bennett	Drinkard	Langford	Teague
Bishop	Ellis	Little	

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**JOURNAL**

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fourteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

**COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Fourteenth Legislative Day was approved by the Senate.

**LEAVE OF ABSENCE**

On motion of Senator deGraffenried, leave of absence was granted Senator Dixon for today.

## RESOLUTIONS

Senator Bedford requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

S. J. R. 169. DESIGNATING ALABAMA HIGHWAY 33 AS THE "WILDERNESS PARKWAY."

WHEREAS, the Sipsey Wilderness Area of the Bankhead National Forest is partially located in Winston County, Alabama; and

WHEREAS, the Sipsey Wilderness Area is visited each year by thousands of people who desire to enjoy its natural beauty; and

WHEREAS, Winston County, Alabama, and its citizens endeavor to provide goods and services to those persons visiting the Sipsey Wilderness Area; and

WHEREAS, Alabama Highway 33 is the gateway to the Sipsey Wilderness Area; and

WHEREAS, to bring greater recognition to the public of the natural beauty of the Sipsey Wilderness Area, Winston County desires that Alabama Highway 33 be officially designated as the "Wilderness Parkway"; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby name and designate Alabama Highway 33 as the "Wilderness Parkway," and do further authorize the proper officials to erect and maintain appropriate signs and markers so designating said highway as the "Wilderness Parkway."

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to Mr. Brent Dollar, Chairman, Winston County Commission.

On motion of Senator Bedford, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Bedford then requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

S. J. R. 170. DESIGNATING ALABAMA HIGHWAY 19, IN FRANKLIN AND MARION COUNTIES, AS THE "J. W. ROGERS HIGHWAY."

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby name and designate Alabama Highway 19 in Franklin and Marion Counties as the "J. W. Rogers Highway."

BE IT FURTHER RESOLVED, That the proper authorities are hereby enabled to erect appropriate signs and markers so designating said highway as the "J. W. Rogers Highway," and that these identifying signs be placed at the highway extremities, at Ray Bay in Franklin County and at the Southernmost county line in Marion County, and also at the point of intersection with Alabama Highway 172 in Franklin County, and other appropriate locations.

On motion of Senator Bedford, the Rules were suspended and the Resolution was adopted by the Senate.

**MOTION IN WRITING**

Senator Cooley requested and received permission to suspend the Rules in order to offer the following Motion in Writing, to-wit:

I move that the Bill, S. B. 345, on page 61 of the Fifteenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 345, referred to the Standing Committee on Rules for placement on the Consent Calendar.

**RESOLUTION**

Senator Little offered the following Senate Resolution, to-wit:

S. R. 171. COMMENDING DRU MCGOWEN FOR DISTINGUISHED SERVICE TO AUBURN UNIVERSITY.

Which was filed.

**INTRODUCTION OF BILLS**

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Denton (With Notice and Proof):

S. 515. Relating to Colbert County and its municipalities for the purpose of said county and municipalities joining with Lauderdale County and its municipalities, for the purpose of forming a Shoals Industrial Development Authority for promoting industry and trade and the development of said counties and cities; to provide for the organization, powers, functions, duties and personnel of such authority, and for the payment of expenses of the authority and for the compensation of its employees.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 515, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Cooley:

S. 516. To amend Code of Alabama 1975, Section 7-9-307, so as to conform to the Federal Food Security Act of 1985, by adding new subsections (4) and (5) to provide for the protection of a secured party filing with the Secretary of State and to amend Code of Alabama 1975, Section 7-9-407, so as to conform to the Federal Food Security Act of 1985, by adding new subsections (3), (4), (5) and (6); to enable and require the Secretary of State to develop and implement a central indexing system, a list of buyers of farm products, commission merchants and selling agents; to provide for a distribution of such listing; and to require oral confirmation of the filing of the form prescribed in Section 7-9-307(4).

Committee on Judiciary.

By Senator Cooley (With Notice and Proof):

S. 517. To alter, rearrange and extend the boundary lines and corporate limits of the City of Cullman, in Cullman County.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 517, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Teague (With Notice and Proof):

S. 518. Relating to Talladega County; providing further for banking business within said county; authorizing any bank which moves its principal offices from the county, into another county, to continue operations in Talladega County as a branch so as to not cause a hardship to its customers.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 518, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Teague:

S. 519. To amend Sections 12-19-71 and 12-19-72 of the Code of Alabama 1975, relating to court fees and the distribution of such fees, so as to provide further for such fees and distribution.

Committee on Judiciary.

By Senator Hilliard:

S. 520. To make certain findings respecting the need to grant to certain municipalities in the State of Alabama the power to provide certain types of assistance to new and expanding businesses seeking to finance the costs of capital improvements due to recent curtailments in the assistance provided to such businesses by the federal government and to propose a self-executing amendment to the Constitution of Alabama of 1901 which will permit municipalities in the State of Alabama with more than 100,000 residents according to the 1980 federal decennial census and certain related entities to guarantee or insure the payment of the principal of and the interest on certain types of revenue obligations, provide for the establishment of special trust funds from which moneys can be disbursed to discharge such obligations, specify certain conditions which must be satisfied before any such obligations can be incurred and provide for the establishment of special advisory committees to assist the governing bodies of such municipalities in determining whether or not to approve the undertaking of any such obligations.

Committee on Small Business.

The above Bill was read a first time at length as required by the Constitution.

By Senators Hilliard, Sanders, Horn, and Figures:

S. 521. To add two additional members to every state board and commission to which appointments are made by the Governor and provides that one of the additional members must be female and one must be black.

Committee on Governmental Affairs.

By Senator Langford:

S. 522. To amend Section 16-50-20, Code of Alabama 1975, as amended, so as to enlarge the membership of the Alabama State University Board of Trustees, prescribe the qualifications, balance, terms of office and appointment; to provide that no current member may be removed as a result of this bill, but allows the governor to redesignate the respective terms of office to conform to the staggered terms.

Committee on Education.

By Senator Hilliard:

S. 523. To promote commercial airlines operations within Class 1 and Class 4 municipalities; to grant tax exemptions for the benefit of certain air carriers; to exempt from the tax levied by Article 6 of Chapter 3 of Title 28 of the Code of Alabama 1975, on the sale of spirituous or vinous liquors, certain sales of spirituous or vinous liquors to a certificated or licensed air carrier with "a hub operation within this state," as herein defined; to amend Section 40-9-1, Code of Alabama 1975, by adding subdivision (24) to exempt from ad valorem tax all aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-12-223, Code of Alabama 1975, as amended, by adding subdivision (13) to exempt from rental tax the gross proceeds accruing from the leasing or rental of aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-14-41, Code of Alabama 1975, as amended, by adding subdivision (d)(2)(E) to provide for a deduction from the amount of capital employed in the state for purposes of computing the franchise tax applicable to foreign corporations the amount invested by the taxpayer in all real and personal property, equipment, facilities, structures and components thereof including all aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-17-31, Code of Alabama 1975, as amended, by adding subdivision (d)(4) to exempt from excise tax gasoline or other fuel used to propel aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-4, Code of Alabama 1975, as amended, by adding subdivision (40) to exempt from sales tax the gross receipts from the sale of aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; and by adding subdivision (41) to exempt from sales tax the gross receipts from the sale of hot or cold food and beverage products sold to or by a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-62, Code of Alabama 1975, as amended, by adding subdivision (32) to

exempt from use tax the storage, use or other consumption of any aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; and further by adding subdivision (33) to exempt from use tax the storage, use or other consumption of hot or cold food and beverage products sold to or by a certificated or licensed air carrier with a hub operation within this state.

Committee on Finance and Taxation.

By Senators Ellis and Strong:

S. 524. To authorize the creation of public library districts in certain areas in the counties of the state of Alabama; to prescribe conditions and procedures relative to the creation of said districts; to prescribe the organization, rights and powers of such districts; to prescribe limitations on such rights and powers; to provide for the levying of certain service charges; to repeal all conflicting statutes and to provide for referendums.

Committee on Education.

By Senator Hilliard:

S. 525. To create the "Alabama Small and Minority Business Assistance Act of 1986"; provides definitions; creates a Small and Minority Business Advisory Council within the Department of Industrial Relations; provides for an advocate; provides for a statewide contracts register; provides a penalty with respect to certain late payments by contractors to subcontractors and suppliers; directs the Finance Department to have reported from the state accounting system certain disbursements made to small businesses; requires agencies to consider the impact of certain actions under the Administrative Procedure Act upon small businesses; provides procedures; creates the Alabama Black Business Investment Board; provides for an executive director and employees; provides powers; provides conditions for board action; creates the Alabama Investment Incentive Trust Fund; provides for Alabama guarantor funds; provides for capital participation instruments; provides for investments in capital participation instruments; provides for the powers of the Division of Purchasing of the Finance Department; provides for the certification of minority business enterprises; requires state agencies to utilize minority business enterprises; authorizes agencies to reserve certain competitive bid contracts for certified minority business enterprises; establishes the Minority Business Enterprise Assistance Office within the Department of Industrial Relations; provides for agency minority enterprise assistance; provides that no surety bonds issued by certain insurers shall be refused under certain circumstances; and provides for penalties for violations of this act.

Committee on Small Business.

By Senator Hilliard (With Notice and Proof):

S. 526. To amend Chapter 65, Title 11, Code of Alabama 1975, applicable to Class 1 cities as defined by Section 11-40-12 of said Code to provide for the financing of public improvements to serve facilities licensed under said chapter by periodic reimbursements by commission established thereunder, to the sponsoring city and/or the host county to amortize their financing of the costs of such public improvements paid for by such local governments, and to authorize such commission to treat such reimbursements

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as expenses of the administration of such chapter, as provided in Chapter 11-65-36 of said Code, to make the provisions of the act severable, and to establish the effective date of the act.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 526, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Hilliard (With Notice and Proof):

S. 527. To provide for the appointment of a county manager by the governing body of Jefferson County, Alabama; to set out the duties, powers, responsibilities, certain restrictions thereon, and term of office of such county manager; to provide the power of the governing body to establish the compensation of such county manager; to provide procedures for appointing, suspending and terminating such county manager; to provide for a member of said county governing body to serve as interim county manager in the event of vacancy; to define the respective powers of such county manager, approvals by governing body required, and the distribution of administrative powers between the county manager, county governing body, and other elected officials in the appointment of county employees; to define applicability of any merit or civil service system to county manager and employees appointed by him, the governing body, or other elected officials; to make the position of county manager exempt from any merit or civil service system except for certification that applicant appointed is professionally qualified by training and/or experience.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 527, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Goodwin:

S. 528. To amend Section 31-6-11, Code of Alabama 1975, relating to educational benefits for certain children or wives or widows of certain deceased or disabled veterans or prisoners of war, so as to further provide therefor.

Committee on Finance and Taxation.

By Senator Teague:

S. 529. To establish the Alabama veteran's service medal to honor certain military veterans; to prescribe qualifications and eligibility; to provide for the design of the medal and a commission to make the determination on the design; to provide that all costs necessary or incident to implementing the provisions of this act shall be paid from any appropriations made to the department of veterans affairs for the current fiscal year and each fiscal year thereafter; and to prescribe the powers and duties of the director of the department of veterans affairs.

Committee on Buildings and Grounds.

By Senator Teague:

S. 530. To provide that public entities shall adopt policies relating to attendance of employees at meetings.

Committee on Buildings and Grounds.

By Senator Bishop:

S. 531. To provide that the governing body of any county or municipality may provide for health and medical insurance coverage for retired employees.

Committee on Governmental Affairs.

### RESOLUTION

Senator Teague requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

S. J. R. 172. CREATING THE ALABAMA ENVIRONMENTAL PLANNING COUNCIL.

WHEREAS, Alabama has not yet encountered environmental disruption to the extent found in many other more highly developed states; and

WHEREAS, Alabama and the South are expected to attract much of the nation's growth during the remainder of this century; and

WHEREAS, the expected growth and development that will occur in this state can have profound impact on its natural surroundings; and

WHEREAS, protecting the natural environment is a major challenge facing those concerned with future development in Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Alabama Environmental Planning Council, hereafter referred to as "the council" is hereby created. The council shall be composed of not more than 25 members, to be appointed as follows: two (2) members shall be appointed by the governor; two (2) members of the senate shall be appointed by the lieutenant governor; two (2) house of representatives members appointed by the speaker of the house; and the remaining members shall be appointed by the chairman of the environmental management commission, subject to approval of a majority of the whole commission. All initial and successor terms of office shall be for two (2) years. Successors shall be appointed from the same authorities which appoint the original members. The chairman of the environmental management commission shall serve, ex officio, as chairman of the council. The vice chairman, who shall preside over council meetings in the chairman's absence, shall be elected from among the membership of the council. The council shall meet upon the call of the chairman, and a quorum for any meeting shall consist of thirteen (13) or more council members.

The council shall have the following duties:

(1) To develop a long range environment plan for the state and to deliver such a plan to the environmental management commission for adoption, modification, or rejection within eighteen (18) months of the council's organization date. The plan shall be used to ensure safe and orderly growth in Alabama.



(2) To serve in an advisory capacity to the commission in planning educational and training programs, and to serve in an on-going capacity regarding the identification of environmental priorities in the state.

The committee shall be representative of all geographical areas of the state and shall include public officials, members of state agencies, members of federal agencies, members of environmental groups, members of industrial groups, members of academic institutions, labor, and private citizens.

The director of the Alabama Department of Environmental Management is hereby authorized to: pay regular state travel expenses and per diem to council members for each day the council meets, employ consultants outside the state merit system, and pay other council expenses out of Alabama Department of Environmental Management funds as are authorized by law. Legislative members of the council shall be paid their regular legislative compensation and expenses from legislative funds for each day the council meets, except when the legislature is in regular or special session.

Which was read and referred to the Standing Committee on Rules.

### MOTION IN WRITING

Senator Bennett requested and received permission to suspend the Rules in order to offer the following Motion in Writing, to-wit:

I move that the Bill, S. B. 205, on page 36 of the Fifteenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 205, referred to the Standing Committee on Rules for placement on the Consent Calendar.

### RESOLUTIONS

Senators Barron, Bedford, Denton, Smith (B), and Strong requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

S. J. R. 173. URGING PRESIDENT RONALD REAGAN TO APPOINT AN ALABAMIAN TO FILL THE VACANCY CURRENTLY EXISTING ON THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY.

WHEREAS, unlike Mississippi, Tennessee, Kentucky and other states in the TVA service area, Alabama has never had representation on the TVA Board of Directors, although the Tennessee Valley Authority Act of 1933 specifically embraces Alabama as the home of the agency; and

WHEREAS, there are a number of individuals in Alabama with a thorough understanding of the mission of TVA in serving the people of the Tennessee Valley; and

WHEREAS, Alabamians also are fully committed to the Authority's mandate to advance the economic development of the region, and there are those too, in our state, who are thoroughly knowledgeable of both legislation and programs concerning water resource development as well as TVA's activities in the fields of energy, transportation, flood control and conservation; and

WHEREAS, further, of the seven states in the TVA area, power revenue in Alabama is 16% of the total power provided; the book value of TVA property in Alabama is 29% of TVA's total property value; there are three of TVA's hydro dams, two nuclear units and two steam plants located in Alabama; Alabama's power production is 25% of TVA's total power generation; and TVA also has its national fertilizer development center at Muscle Shoals, Alabama, which has developed the technology for 75% of the fertilizer used in the United States today and is the world's leading fertilizer development center; and

WHEREAS, with a vacancy now existing on the TVA Board of Directors and in view of the facts hereinabove enumerated, it is logical, realistic and only equitable that said vacancy should and must be filled with Alabama's first appointment; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most respectfully but strongly urge President Reagan to appoint an Alabamian to the vacancy on the Board of Directors of the Tennessee Valley Authority and that The Congress, in turn, confirm said appointment.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded forthwith to President Reagan for his consideration, with copies also provided for Alabama's Congressional Delegation in Washington, D. C.

On motion of Senator Barron, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Foshee requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

**S. J. R. 174. DESIGNATING THE ALABAMA STATE HOUSE AS THE PLACE OF MEETING OF THE ALABAMA LEGISLATURE.**

WHEREAS, that certain State of Alabama building located at the Alabama seat of government in Montgomery, Alabama, and bounded by Pelham Street on the North, Ripley Street on the East, Union Street on the West and Washington Street on the South, is currently occupied by the Alabama State Legislature; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That pending further legislative action, that certain building located at the Alabama seat of government in Montgomery, Alabama, bounded by Pelham Street on the North, Ripley Street on the East, Union Street on the West and Washington Street on the South, formerly occupied by the Alabama State Highway Department and formerly designated as the Alabama Highway Department Building, is hereby designated as the Alabama State House and beginning with the regular session of the Alabama Legislature in 1986, the Senate and House of Representatives will occupy the fifth, sixth and seventh floors of said building and any portion of the fourth floor of said building as may be necessary for the transaction of any official legislative business.

RESOLVED FURTHER, That the fifth floor of the said building is hereby designated as the place of meeting of the Alabama House of Representatives and the seventh floor is designated as the place of meeting for the Senate of the State of Alabama.

Which was read and referred to the Standing Committee on Rules.

**MOTIONS IN WRITING**

Senator Strong requested and received permission to suspend the Rules in order to offer the following Motion in Writing, to-wit:

I move that the Bill, S. B. 127, on page 15 of the Fifteenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 127, referred to the Standing Committee on Rules for placement on the Consent Calendar.

Senator Bedford requested and received permission to suspend the Rules in order to offer the following Motion in Writing, to-wit:

I move that the Bill, S. B. 213, on page 48 of the Fifteenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 213, referred to the Standing Committee on Rules for placement on the Consent Calendar.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Campbell:

**H. J. R. 24. SUSTAINING THE SUSPENSION OF A DEPARTMENT OF HEALTH RULE DISAPPROVED BY THE JOINT COMMITTEE ON ADMINISTRATIVE REGULATION REVIEW.**

WHEREAS, on September 11, 1985, the Joint Committee on Administrative Regulation Review met, studied the proposed amendment of the Department of Health's Chapter 420-7-2 (Appendix) Controlled Substances List, relating to: anabolic substances promoting constructive metabolism; the naturally occurring androgens or derivatives of androstane (androsterone and testosterone); testosterone and its esters, including, but not limited to, testosterone propionate, and its derivatives, including, but not limited to, methyltestosterone, published August 30, 1985, in Volume III, No. 11, of the "Alabama Administrative Monthly," and after consideration, disapproved and suspended the proposed amendment; and

WHEREAS, pursuant to the Alabama Administrative Procedure Act, each member of both Houses of the Legislature has been provided a copy of said proposed amendment; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That the disapproval and suspension of the said Department of Health's proposed amendment by the Joint Committee on Administrative Regulation Review are hereby sustained.

ALABAMA DEPARTMENT OF PUBLIC HEALTH  
SPECIAL SERVICES ADMINISTRATION  
BUREAU OF PRIMARY PREVENTION

## NOTICE OF RULEMAKING HEARING

## Rule No. 420-7-2 (Appendix) Controlled Substances

All interested persons are invited to submit their data, views, or arguments, orally or in writing, concerning this proposed amendment to the rules at a public hearing to be held October 15, 1985, at 10:00 a.m., State Office Building, Room 200, Montgomery, Alabama. All comments received will be fully considered.

Requests for copies of the proposed amendment and additional information concerning its substance, as well as all written comments, should be addressed to James J. McVay, Director, Bureau of Primary Prevention, Special Services Administration, Alabama Department of Public Health, State Office Building, Montgomery, Alabama 36130-1701. The office telephone number is (205) 261-5105.

The proposed amendment adds to Schedule V of the Alabama Control Substances List the following:

“(c) Anabolic substances promoting constructive metabolism. The naturally occurring androgens or derivatives of androstane (androsterone and testosterone); testosterone and its esters, including, but not limited to, testosterone propionate, and its derivatives, including, but not limited to, methyltestosterone.”

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The Resolution, H. J. R. 24, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

## UNFINISHED BUSINESS

The Senate proceeded to further consideration of the Unfinished Business for today, which was the Cabaniss substitute Motion in Writing for the Cabaniss Motion in Writing for B. I. R., S. B. 170. The question was on the Cabaniss substitute Motion in Writing to carry over the B. I. R., S. B. 170 one Legislative Day.

## MOTIONS IN WRITING

Senator Langford requested and received permission to suspend the Rules in order to offer the following Motions in Writing, to-wit:

I move that the Bill, S. B. 34, on page 2 of the Fifteenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 34, referred to the Standing Committee on Rules for placement on the Consent Calendar.

I move that the Bill, S. B. 68, on page 6 of the Fifteenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 68, referred to the Standing Committee on Rules for placement on the Consent Calendar.

Senator Bedsole requested and received permission to suspend the Rules in order to offer the following Motion in Writing, to-wit:

I move that the Bill, S. B. 124, on page 14 of the Fifteenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 124, referred to the Standing Committee on Rules for placement on the Consent Calendar.

### UNFINISHED BUSINESS

The Senate proceeded to further consideration of the Unfinished Business for today, which was the Cabaniss substitute Motion in Writing for the Cabaniss Motion in Writing for B. I. R., S. B. 170. The question was on the Cabaniss substitute Motion in Writing to carry over the B. I. R., S. B. 170 one Legislative Day.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Johnson (RW) and Smith:

H. 132. To create the Municipal Government Capital Improvement Fund; to make certain annual appropriations to such fund from the General Fund of the State based upon the amounts of income from the investment of certain moneys driven by the State from the leasing of rights in and royalty payments from offshore oil, gas and other hydrocarbon minerals; to provide for the distribution of such appropriations among incorporated municipalities; and to provide for the uses to which such monies shall be put.

Also:

By Reps. Johnson (RW), Drake, Coleman, White (F), Smith, Onderdonk, Clark (J), McMillan, Starr, Warren, Faulk, Turnham, Biddle, Newman, Nicholson, Mitchell, Butler, Thomas, Dutton, Browder, Poole, Burke, Bowling, Reed, Harvey, Laird, Holley, Britnell, Moore, Penry, Bryant, Cosby, Junkins, Mikell, Blakeney, Tanner, Richardson, Hooper, Ford, Preuitt, Beasley, Fuller, Mathis, White (L), Lauderdale, Adams, Blake, Starkey, Pratt, and Martin:

H. 185. To create the County Government Capital Improvement Fund; to make certain annual appropriations to such fund from the General Fund of the State based upon the amounts of income from the investment of certain moneys driven by the State from the leasing of rights in and royalty payments from offshore oil, gas and other hydrocarbon minerals; to provide

for the distribution of such appropriations among county governments; and to provide for the uses to which such moneys shall be put.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 132 and 185—to the Committee on Governmental Affairs

### UNFINISHED BUSINESS

The Senate proceeded to further consideration of the Unfinished Business for today, which was the Cabaniss substitute Motion in Writing for the Cabaniss Motion in Writing for B. I. R., S. B. 170. The question was on the Cabaniss substitute Motion in Writing to carry over the B. I. R., S. B. 170 one Legislative Day.

And said substitute Motion in Writing was then lost.

Yeas 4; Nays 27.

*Yeas:*

Senators:	Cabaniss	Dial	Hand	
Bedsole				—4

*Nays:*

Senators:	Cooley	Foshee	Menton	
Aldridge	Covington	Goodwin	Mitchem	
Amari	deGraffenried	Hilliard	Parsons	
Bailey	Denton	Holmes	Smith (B)	
Bedford	Drinkard	Horn	Smith (J)	
Bennett	Ellis	Langford	Strong	
Bishop	Figures	Little	Teague	—27

The question recurred on the Cabaniss Motion in Writing to carry over the B. I. R., S. B. 170, for five Legislative Days.

On motion of Senator Parsons, said Motion in Writing was laid on the table.

Yeas 24; Nays 4.

*Yeas:*

Senators:	Cooley	Foshee	Little	
Aldridge	Covington	Goodwin	Menton	
Bailey	Denton	Hilliard	Parsons	
Barron	Drinkard	Holmes	Smith (B)	
Bedford	Ellis	Horn	Smith (J)	
Bennett	Figures	Langford	Teague	
Bishop				—24

*Nays:*

Senators:	Cabaniss	Dial	Hand	
Bedsole				—4

The question then recurred on the Bishop B. I. R., S. B. 170.

Senator Parsons moved that said B. I. R., S. B. 170, be adopted.

**MOTION IN WRITING**

Senator Cabaniss offered the following Motion in Writing, to-wit:

I move to indefinitely postpone the B. I. R. to S. B. 170.

On motion of Senator Parsons, said Motion in Writing was laid on the table.

Yeas 25; Nays 4.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Aldridge	Covington	Goodwin	Parsons	
Bailey	deGraffenried	Hilliard	Smith (B)	
Barron	Denton	Horn	Smith (J)	
Bedford	Drinkard	Langford	Strong	
Bennett	Ellis	Little	Teague	
Bishop	Figures			—25

*Nays:*

Senators:	Cabaniss	Dial	Hand	
Bedsole				—4

**FURTHER CONSIDERATION OF B. I. R., S. B. 170**

The Senate proceeded to further consideration of the B. I. R., S. B. 170.

On motion of Senator Parsons, said B. I. R., S. B. 170, was adopted.

Yeas 24; Nays 3.

*Yeas:*

Senators:	Cooley	Figures	Langford	
Aldridge	Covington	Foshee	Little	
Bailey	deGraffenried	Goodwin	Menton	
Barron	Denton	Hilliard	Smith (B)	
Bedsole	Drinkard	Holmes	Strong	
Bennett	Ellis	Horn	Teague	
Bishop				—24

*Nays:*

Senators:	Cabaniss	Dial	Hand	—3
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Senator Bedsole moved that the Senate reconsider the vote by which B. I. R., S. B. 170, was adopted.

On motion of Senator Denton, said motion to reconsider was laid on the table.

**REPORT FROM RULES**

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Motion in Writing and ordered same returned to the Senate with a favorable report, to-wit:

When we adjourn we adjourn to 12:01 A.M. Wednesday, February 27, 1986.

On motion of Senator Bedsole, said Motion in Writing was laid on the table.

**REPORTS OF COMMITTEES**

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Bailey, Barron, and Bennett:

S. 496. To amend Sections 34-7-1, 34-7-2, 34-7-3, 34-7-4, 34-7-5, 34-7-9, 34-7-11, 34-7-16, and 34-7-40, Code of Alabama 1975, which provide for and regulate the practice of cosmetology, so as to provide further for said practice.

By Rep. Johnson (RW):

H. 65. To amend Section 11-51-91, Code of Alabama, 1975, so as to clarify the meaning of said Section; to require a liberal construction of the meaning of said Section.

By Rep. Holley:

H. 69. Relating to elections; to provide additional time for overseas Americans to make application for, receive and return absentee ballots; and for such purpose to amend Code of Alabama 1975, Sections 17-10-3, 17-10-5, 17-10-12, 17-10-13, 17-10-14, and 17-16-11; and to provide an effective date.

By Rep. Martin:

H. 520. To amend Section 11-94-1, Code of Alabama 1975, which relates to municipal-county port authorities, so as to authorize said port authorities to own, operate and finance office facilities for their own use or the use of certain other organizations, and amends Section 11-94-15, Code of Alabama 1975, which relates to liabilities of certain subdivisions of port authorities so as to provide that counties, municipalities, and public corporations may give certain financial aid to, and may otherwise cooperate with, municipal-county port authorities.

By Rep. Rice:

H. 207. Relating to the abandonment of the commission form of government by Class 6 municipalities; providing for a referendum on the question of adoption of a mayor-council form of government with five (5) single-member districts and a mayor to be elected at large, or in the alternative a council-manager form of government with five (5) single-member districts; establishing in the alternative said forms of government; providing for the



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establishment of boundaries of districts, salaries of mayor and council, and the call of election for the members of the council and for a mayor if a mayor-council form of government was adopted; providing for the term of office of the initial council, and for mayor if the mayor council form of government was adopted; providing the election laws to be applied; providing for reapportionment of council districts; providing for the preservation of other officers, their powers, duties, rights, privileges and emoluments, for the preservation of all property owned by the municipality, all contracts in force, legal proceedings, and pension funds; and providing for the continuation of all subordinate agencies of the municipalities and all ordinances; and providing for an effective date of this act, and the severability of the provisions of this act.

By Senator Langford:

S. 495. To amend Sections 41-13-40 and 41-13-44 of the Code of Alabama 1975, as amended, relating to the management of certain public records, so as to provide further therefor, and for the photographing or microphotographing of such public records and for the quality control standards thereof; and to specifically repeal Sections 41-13-41 and 41-13-42, Code of Alabama 1975, relating to such records maintained by the department of archives and history.

By Senator Cooley:

S. 452. To amend Section 36-26-36, Code of Alabama 1975, relating to accrued sick leave of state employees, so as to permit a certain percent of said sick leave to be claimed by state law enforcement officers as creditable retirement service.

By Senator Cooley:

S. 451. To amend Section 36-26-36, Code of Alabama 1975, relating to accrued sick leave of state employees, so as to permit a certain percent of said sick leave to be claimed as creditable retirement service.

By Senators Foshee, Teague, Denton, Sanders, Covington, Bishop, and Bailey:

S. 450. To amend Sections 11-6-1 and 11-6-2, Code of Alabama 1975, as amended, which relate to the appointment, salary and qualifications of county engineers so as to further provide for the conditions of employment of such county engineers.

By Senator Bennett:

S. 441. To provide for an assignment to the Department of Pensions and Security of the right to any support owed to or for a child either in the custody of the Department of Pensions and Security and receiving foster care or receiving foster care maintenance payments under Title IV-E of the Social Security Act; to provide the Department of Pensions and Security with the authority to bring actions to establish, modify, or enforce a support obligation with respect to such child; to provide that a support obligation may be ordered at the time custody is granted to the Department of Pensions and Security; and to provide that the Department of Pensions and Security may collect and distribute support in accordance with rules published by the Department of Pensions and Security.

Senator Foshee, Chairperson of the Standing Committee on Buildings and Grounds, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable

report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Bedford, Foshee, Bishop, and Barron:

S. 476. To amend §12-18-87, Code of Alabama 1975, to provide for an increase in service retirement and survivor benefits under the judicial retirement fund as it relates to probate judges.

By Senators Bishop, Amari, Foshee, Corbett, Figures, Hilliard, Parsons, deGraffenried, Horn, Cooley, Aldridge, Teague, Bennett, Bedford, Drinkard, Smith (J), Menton, Bailey, Langford, and Covington:

S. 470. To establish the Community Stabilization Assistance Act; to provide for loans to employees who have been terminated by plant closings; to provide for a board to administer the loans; and to provide for funding and criteria for eligibility for said loans; to make an appropriation for each of the next three fiscal years; and to provide for a retroactive effect.

By Senator Foshee:

S. 499. To amend Section 37-6-18(b), Code of Alabama 1975, so as to establish the vote of members required in order to dissolve a cooperative.

By Senator Foshee:

S. 500. To amend Section 37-6-4, Code of Alabama 1975, so as to allow a generating or transmission cooperative to use the word "power" in its name in lieu of the words "electric" or "cooperative."

By Senator Foshee:

S. 498. To exempt the Eye Foundation, Inc., and any of its branches and agencies from all state, county, or municipal sales or use taxes.

By Senator Goodwin:

S. 487. To regulate rental-purchase agreements; to require disclosure of certain information by the merchant to the consumers; to authorize reinstatement of agreements under certain conditions; to regulate advertising for rental-purchase agreements; to provide for damages for violations of this act; and to amend Section 5-19-1, Code of Alabama 1975, which defines certain terms for consumer finance purposes, so as to exclude rental-purchase agreements from the definition of credit sale.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Faulk (With Notice and Proof):

H. 321. To amend Act No. 185, S. 91, 1975 Regular Session, which provides for an expense allowance for the circuit court reporter of the Second Judicial Circuit, so as to provide further for said expense allowance.

By Senator Sanders (With Notice and Proof):

S. 493. Relating to Lowndes County; suspending the implementation of the provisions of Act No. 85-740, H. 900, 1985 Regular Session, as amended by Act No. 85-827, S. 150, 1985 2nd Special Session, until January 1, 1987.

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By Rep. Hammett (With Notice and Proof):

H. 535. To amend the title and Section 1 of Act No. 80-688, H. 1137, of the 1980 Regular Session of the Legislature (Acts 1980, p. 1375), which act provides for hiring and fixing the salaries of certain clerks for the tax assessor and tax collector in Covington County, Alabama, so as to provide further for such salaries and to provide for retroactive effect for said act to October 1, 1982.

By Rep. Faulk (With Notice and Proof):

H. 320. Relating to the Second Judicial Circuit; the District Attorney shall have the authority to have the investigator and other employees of his office to assist him in the presence of the grand jury except when said jury is deliberating.

By Rep. Carothers (With Notice and Proof):

H. 466. Relating to Houston County; to regulate the election and tenure of the Houston County Commission; to provide for the at-large election of a full-time chairman of said commission; to provide for the election of part-time associate county commissioners from four election districts; to provide for qualifications and residency requirements; to provide for the filling of vacancies in such offices; and to provide for the creation of four county commission districts.

By Rep. Campbell (With Notice and Proof):

H. 357. Relating to Calhoun County; amending Section 9 of Act No. 154, H. 746, of the 1965 Regular Session, as amended by Act No. 631, H. 410, of the 1983 Regular Session, which created the office of commissioner of licenses in certain counties classified on a population basis, so as to provide further for fees collected for issuing motor vehicle license tags by mail.

By Rep. Campbell (With Notice and Proof):

H. 278. Relating to Calhoun County; providing for an increase in salary for the part-time bailiffs of said county.

By Rep. Richardson (With Notice and Proof):

H. 248. Relating to selling and redeeming lands for taxes in Jackson County, Alabama.

By Rep. Newman (With Notice and Proof):

H. 400. Relating to Fayette County; to regulate further the expense allowance of the members of Fayette County Commission and giving retroactive effect to such expense allowances; and providing automatic termination of such expense allowances.

By Reps. Onderdonk and Blakeney (With Notice and Proof):

H. 413. Proposing an amendment to the Constitution of 1901, authorizing and enabling the governing body of the City of Jackson, Clarke County, Alabama, to declare the need for the formation of a public corporation to carry out the provisions of the act and to function as a port authority, and to cause same to be organized; providing for its powers and duties; repealing conflicting provisions of this Constitution, 1901.

The above Bill was read a second time at length as required by the Constitution.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that the following Bills have been placed on the Consent Calendar for today, to-wit:

By Senator Cabaniss:

S. 354. To establish an Alabama Men's Hall of Fame; prescribes its purposes and membership; and provides for election of members and officers and for holding of meetings.

By Senator Bennett:

S. 405. To provide that support shall be ordered paid directly to the Department of Pensions and Security or its designee in cases which come within the requirements of Title IV-D of the Social Security Act, as amended; provides for the distribution of monies collected; provides for notice to the court of the location and address where monies shall be received; provides for contracting with a designated party; provides that the record of collections shall constitute the official payment record, and shall be prima facie evidence of the payment made by the obligor.

By Senators Hand, Foshee, Bedford, Menton, Ellis, Parsons, Bedsole, Dixon, Dial, Holmes, Strong, and Denton:

S. 75. To amend Section 16-13-58, Code of Alabama 1975, which provides for the State Board of Education to determine the amount of funds needed by each county and city from the Minimum Program Fund, so as to provide that the full cost of the Minimum Program be paid.

By Senators Hand, Bedford, Bedsole, Mitchem, Dial, Foshee, Holmes, Cabaniss, Denton, Aldridge, Bishop, Teague, Barron, Strong, Cooley, deGraffenried, Smith (B), Goodwin, Menton, Smith (J), Figures, Dixon, Ellis, Covington, and Bailey (With Amendment):

S. 210. To create and establish a state forest industrial development board; to provide for the membership and meetings of such a board; to prescribe the responsibilities and functions for such board; and to make an appropriation from the state general fund for such board.

By Senator Foshee:

S. 61. To amend Section 29-1-22, Code of Alabama 1975, which provides for legislative funding, so as to provide further for said funding.

By Senator Corbett:

S. 222. To amend Sections 32-6-271, 32-6-272 and 32-6-274, Code of Alabama 1975, which provide for distinctive license plates for fire fighters, so as to provide further for said license plates.

## BILLS ON THIRD READING

### THE BILL:

H. 377. To provide conditional appropriations of \$14,367,400 to certain state agencies for the fiscal year ending September 30, 1986; and to provide that certain provisions of this act shall be retroactive.

as amended by the substitute, which said substitute is set out in the Journal of the Senate, and having been postponed subject to the call of the Chair on the Fourteenth Legislative Day, was taken up.

Senator deGraffenried offered the following substitute for the Bill, H. B. 377, as amended, to-wit:

**SUBSTITUTE FOR H. B. 377, AS AMENDED**

**A BILL  
TO BE ENTITLED  
AN ACT**

To provide a supplemental appropriation of \$7,600,000 to the Department of Pensions and Security from the State General Fund for FY 1985-86 and to provide a conditional appropriation of \$6,750,000 to the Department of Pensions and Security from the State General Fund for FY 1985-86 to pay awards made by the Board of Adjustment due to the default of payments to state agencies by the Department of Pensions and Security in FY 1984-85; to provide a supplemental appropriation of \$3,000,000 to the Department of Mental Health and Mental Retardation for the fiscal year ending September 30, 1986; and to provide that certain provisions of this act shall be retroactive.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. In addition to all other appropriations heretofore or hereafter made, there is hereby appropriated to the Department of Pensions and Security from the State General Fund the amount of \$7,600,000 for the fiscal year ending September 30, 1986. The intent of this appropriation is to insure adequate staffing of county offices and to continue the former "Title XX" Day Care Program.

Of this amount, \$1,100,000 is hereby appropriated to be used solely for the purpose of providing performance salary advances for employees of the Department of Pensions and Security. These funds shall be used solely to make payments for the salary of any employee who otherwise qualifies during the fiscal year 1985-86 for a performance salary adjustment within their assigned pay range, but may not receive such salary adjustment due to a declaration by the department that funds are unavailable for such purpose. It being the intent of the Legislature that appropriate compensation to such employees shall be retroactive from the time the performance salary advancement was due.

Section 2. (a) The Board of Adjustment, during the fiscal year 1985-86, shall hear and issue decisions on claims made against it by state agencies concerning obligations owed to them by the Department of Pensions and Security from fiscal year 1984-85. Each department may submit to the Board of Adjustment a claim setting out the total amount owed to them by the Department of Pensions and Security, and any other information as may be required by the Board of Adjustment for its findings of fact and its findings and awards as to the amount of payment.

(b) In addition to all other appropriations heretofore or hereafter made, there is hereby conditionally appropriated to the Department of Pensions and Security, Social Services Program from the State General Fund the amount of \$6,750,000 for the fiscal year ending September 30, 1986, to be utilized for payment of awards which may be made by the Board of Adjustment due to the default of payments to state agencies by the Department of Pensions and Security in the fiscal year ending September 30, 1985.

(c) Such funds as set out above are conditional upon the availability of funds in the State General Fund and shall remain in the State General Fund until said funds have been awarded by the Board of Adjustment and the

release of said funds has been determined and recommended by the Finance Director and approved by the Governor.

Section 3. In addition to all other appropriations heretofore or hereafter made, there is hereby appropriated to the Department of Mental Health and Mental Retardation from the State General Fund the amount of \$3,000,000 for the fiscal year ending September 30, 1986 to provide additional funding for Title XX programs.

Section 4. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declarations shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are hereby specifically repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 28; Nays 0.

*Yeas:*

Senators:	Cabaniss	Ellis	Langford	
Amari	Cooley	Figures	Little	
Bailey	Covington	Foshee	Menton	
Barron	deGraffenried	Goodwin	Parsons	
Bedford	Denton	Hilliard	Smith (B)	
Bedsole	Dial	Holmes	Strong	
Bennett	Drinkard	Horn	Teague	
Bishop				—28

*Nays:* —0

And said Bill, H. B. 377, as amended by the substitute, was read a third time at length and passed.

Yeas 29; Nays 0.

*Yeas:*

Senators:	Cabaniss	Figures	Little	
Amari	Cooley	Foshee	Menton	
Bailey	Covington	Goodwin	Parsons	
Barron	deGraffenried	Hilliard	Smith (B)	
Bedford	Denton	Holmes	Smith (J)	
Bedsole	Dial	Horn	Strong	
Bennett	Drinkard	Langford	Teague	
Bishop	Ellis			—29

*Nays:* —0

### MOTION TO ADJOURN

Senator Bishop moved that when the Senate adjourns today, it adjourn to meet again on Tuesday, March 4, 1986, at 2 o'clock P.M., which motion was adopted.

**RESOLUTIONS**

Senator Parsons offered the following Senate Resolution, to-wit:

S. R. 175. CONDEMNING THE ACTIONS AND WORDS OF U. S. SENATOR JEREMIAH DENTON.

Which was read and referred to the Standing Committee on Rules.

Senator Smith (J) offered the following Senate Resolutions; to-wit:

S. R. 176. COMMENDING CARLOS RAY KIRKPATRICK OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Also:

S. R. 177. COMMENDING BEN B. PORTER OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Also:

S. R. 178. COMMENDING LLOYD H. KRANERT OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING PROFESSIONAL ACHIEVEMENT AND COMMUNITY SERVICE.

Also:

S. R. 179. COMMENDING ROSS B. MELVIN, JR., OF ATHENS, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Which were filed.

Senator Hand offered the following Senate Resolutions to-wit:

S. R. 180. COMMENDING PETE GANEY OF SPANISH FORT, ALABAMA, A DISTINGUISHED MILITARY VETERAN AND CURRENT STATE COMMANDER OF THE V. F. W.

Also:

S. R. 181. COMMENDING MRS. PEGGY GANEY FOR OUTSTANDING SERVICE TO THE LADIES AUXILIARY, V. F. W.

Which were filed.

**REPORT FROM RULES**

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 172. COMMENDING MR. AND MRS. JAMES VERGIL NOLEN ON THEIR 50TH WEDDING ANNIVERSARY.

Also:

H. J. R. 173. MOURNING THE DEATH OF CHARLES H. STONE OF GURLEY, MADISON COUNTY, ALABAMA.

Also:

H. J. R. 174. COMMENDING ATLANTA CITY COUNCILMAN JOHN LEWIS AND WELCOMING HIM TO LIVINGSTON UNIVERSITY AND WEST ALABAMA.

Also:

H. J. R. 175. COMMENDING MR. WILLIAM MYERS JOHNSON FOR OUTSTANDING CONTRIBUTIONS TO THE CITIZENS OF HUNTSVILLE, ALABAMA, AND THE BROTHERS OF KAPPA ALPHA PSI FRATERNITY, INCORPORATED.

Also:

H. J. R. 178. COMMENDING G. LeNOIR THOMPSON, BAY MINETTE CITIZEN OF THE YEAR, 1985.

Also:

H. J. R. 182. MOURNING THE DEATH OF FRANK DANIELS, JUNIOR.

On motion of Senator Bishop, the Resolutions were then concurred in and adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 174. DESIGNATING THE ALABAMA STATE HOUSE AS THE PLACE OF MEETING OF THE ALABAMA LEGISLATURE.

On motion of Senator Bishop, the Resolution was adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 235. COMMENDING KAPPA ALPHA PSI FRATERNITY.

Also:

H. J. R. 236. COMMENDING JAMES H. JOHNSON OF MENTONE, ALABAMA, FOR OUTSTANDING ACHIEVEMENT AS GENERAL MANAGER OF THE FARMERS TELEPHONE COOPERATIVE.

On motion of Senator Bishop, the Resolutions were then concurred in and adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 121. COMMENDING SOLON DIXON OF ANDALUSIA, ALABAMA.

On motion of Senator Bishop, the Resolution was then adopted by the Senate.

## RESOLUTIONS

Senators Little and Foshee offered the following Senate Joint Resolution, to-wit:

S. J. R. 182. COMMENDING JOSEPH B. BROGDEN OF ATMORE, ALABAMA.



WHEREAS, in consensus of highest commendation the Legislature of Alabama notes the appointment, by Governor George C. Wallace, of Joseph B. Brogden as circuit judge of the 21st Judicial Circuit; and

WHEREAS, Judge Brogden, who will serve the unexpired term of retired Judge Douglas S. Webb, is an Atmore, Alabama, attorney who has practiced his profession in that city since 1969, and also has served as part-time assistant district attorney of Escambia County for more than five years; and

WHEREAS, Judge Brogden, who is a 1962 graduate of Auburn University and received his law degree from Cumberland School of Law, is exceptionally qualified for his new judicial position and we are sincerely pleased in his elevation to the bench; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Joseph B. Brogden of Atmore, Alabama, for outstanding professional achievement and direct that he receive a copy of this resolution, executed in deep admiration and in warmest personal regard.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Little and Dial offered the following Senate Resolution, to-wit:

S. R. 183. CONGRATULATING MR. AND MRS. NOEL ALLEN OF LANETT, ALABAMA, ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Which was filed.

### REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 152. NAMING ACT NO. 79-322, S. 55, 1979 REGULAR SESSION, "THE J. RICHMOND PEARSON ACT."

Also:

S. J. R. 153. CALLING FOR THE IMMEDIATE AND UNCONDITIONAL RELEASE OF NELSON MANDELA AND ALL SOUTH AFRICAN POLITICAL PRISONERS AND DETAINEES.

On motion of Senator Hilliard, the Resolutions were then adopted by the Senate.

### BUDGET ISOLATION RESOLUTION

Senator Denton, B. I. R., S. B. 25, adopted.

Yeas 20; Nays 0.

Yeas:

Senators:	Bishop	Goodwin	Little
Aldridge	Cabaniss	Hand	Menton
Amari	Denton	Hilliard	Sanders
Barron	Ellis	Holmes	Smith (B)
Bedford	Foshee	Langford	Teague
Bennett			

—20

Nays:

—0

**BILLS ON THIRD READING****THE BILL:**

S. 25. To amend Section 36-27-16, Code of Alabama 1975, relating to the state employees' retirement system, so as to provide the same retirement mandates, qualifications and benefits for state aircraft pilots that are provided for state policemen.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Little	
Aldridge	Cabaniss	Goodwin	Menton	
Barron	Covington	Hilliard	Smith (B)	
Bedford	Denton	Holmes	Smith (J)	
Bedsole	Ellis	Langford	Teague	—19

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Denton, B. I. R., S. B. 276, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Hand	Parsons	
Aldridge	Denton	Hilliard	Smith (B)	
Barron	Ellis	Holmes	Smith (J)	
Bedford	Foshee	Little	Teague	
Bishop	Goodwin	Menton		—18

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 276. To amend Section 40-12-198 of the Code of Alabama 1975, as amended, relating to the marking of vehicles operated by private and for-hire carriers.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Cabaniss	Hilliard	Parsons	
Aldridge	Denton	Holmes	Smith (B)	
Barron	Ellis	Langford	Smith (J)	
Bedford	Foshee	Little	Strong	
Bedsole	Goodwin	Menton	Teague	
Bishop	Hand			—21

*Nays:*

—0

**RESOLUTION**

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 184. **RESOLVED BY THE SENATE** That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the fifteenth legislative day of the 1986 Regular Session only:

Inst Id	Page
S. 170 State agencies and political subdiv. required to purchase American-made goods; contracts in violation void	29
S. 232 Parental Right to Notification of Minors and Mentally Incompetents Person's Abortion Act, notification, pen. prescribed.	16
S. 201 Juveniles, st. in which juvenile is charged with delinquency auth. requisition from another st., Interstate Compact on Juveniles alt.	19
S. 54 Pharmacists, licensing of, alt., Sec. 34-23-51 am'd.	14
S. 41 Real estate cos., brokers and salesmen, reg., annual license fees reg. further, Sec. 34-27-35 am'd.	19
S. 180 Medicine, application for license to practice, unlawful to submit false information, penalty provided for violations.	10
S. 169 Cable television services theft defined; criminal penalties, civil liab., and confiscation of equipment provided.	20
S. 78 Permanent state employee reimbursed for actual moving expenses, Sec. 36-7-40 am'd.	4
S. 142 Airlines, tax exemptions to encourage large airlines to set up operations in the st., Secs. 40-9-1, 40-12-223, 40-14-41, 40-17-31, 40-23-4, 40-23-62 am'd.	17

On motion of Senator Bishop, the Resolution was adopted by the Senate.

**BUDGET ISOLATION RESOLUTION**

Senator Ellis, B. I. R., S. B. 316, adopted.

Yeas 16; Nays 2.

Abstaining 1.

Yeas:

Senators:	Denton	Hand	Menton	
Aldridge	Ellis	Hilliard	Mitchem	
Barron	Foshee	Langford	Smith (B)	
Bedford	Goodwin	Little	Teague	
Bishop				—16

Nays:

Senators:	Bailey	Cabaniss	—2
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Abstaining:	Senator Corbett	—1
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**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 316. To amend Section 28-3A-11 of the Code of Alabama 1975, relating to lounge retail liquor license so as to create a separation of package retail liquor license from the lounge retail liquor license.

was taken up.

The Standing Committee on Buildings and Grounds reported the following amendment to the Bill, S. B. 316, to-wit:

**AMENDMENT TO S. B. 316**

Amend Senate Bill No. 316, Page 3, Line 2, by striking out the word "They" and inserting the words "The licensee".

Further amend S. B. 316 on Page 3, on Line 4, after the word "only," by striking the remainder of Line 4 through Line 13 ending with the word "window," and inserting the following: In addition to all other requirements of law or rules and regulations of the Board licenses issued hereunder shall comply with the following conditions and requirements:

- a. The licensed premises must have a minimum of 500 square feet of floor space for the display and sales of alcoholic beverages. The square footage herein required shall not include areas of the licensed premises which are not opened to the patrons or licensee and which are used for office space, storage or restroom facilities.
- b. The licensee is authorized to sell only snack and delicatessen items, cheeses, beverage containers, tobacco products, soft drinks, newspapers, magazines, and alcoholic beverage mixed items. The licensee shall not sell general grocery items, novelties, clothing or any other item of general merchandise.
- c. Any licensed premises which contain an interior door, window, or passageway which opens and/or (may be opened into an adjoining building may be) used only by the licensee or its employees. Such interior openings must be unavailable to the patrons or customers of licensee and such passageway must be clearly marked "Employees Only".

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- d. The licensee shall at all times when open for business have in its possession a minimum inventory of \$5,000 wholesale cost of liquor or wine. The liquor possessed by the licensee must have been produced by at least two distilleries and the wine possessed must have been produced by at least two wineries.
- e. The licensee shall not advertise or identify its premises, prices, or location by the use of a flashing or blinking sign or signs whether operated by electricity, gas or otherwise.
- f. No person under the age of twenty-one (21) years shall be issued a Type 012 PACKAGE RETAIL LIQUOR LICENSE nor shall any corporation be issued such license unless the president thereof shall be over the age of twenty-one years.
- g. No person under the lawful drinking age shall be admitted to the premises as a patron or guest, and it shall be unlawful for any person to admit anyone under the legal drinking age to the premises as a patron or guest.

This does not prohibit the payment for petroleum products through an outside service window."

Which was adopted.

Yeas 12; Nays 0.

Abstaining 1.

Yeas:

Senators:	Foshee	Holmes	Parsons	
Aldridge	Goodwin	Little	Strong	
Bailey	Hilliard	Menton	Teague	
Ellis				—12

Nays: —0

Abstaining: Senator Corbett —1

And said Bill, S. B. 316, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 16; Nays 1.

Abstaining 1.

Yeas:

Senators:	Ellis	Hilliard	Parsons	
Aldridge	Foshee	Holmes	Smith (J)	
Barron	Goodwin	Little	Strong	
Covington	Hand	Menton	Teague	
Dial				—16

Nay: Senator Bailey —1

Abstaining: Senator Corbett —1

**BUDGET ISOLATION RESOLUTION**

Senator Bedford, B. I. R., S. B. 269, adopted.

Yeas 17; Nays 2.

Senators:	Bennett	Drinkard	Langford	
Aldridge	Cabaniss	Ellis	Menton	
Bailey	Covington	Foshee	Smith (J)	
Barron	deGraffenried	Goodwin	Strong	
Bedford	Dial			—17

Nays:

Senators:	Corbett	Little		—2
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**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 269. To authorize any county commission to establish the office of supernumerary county commissioner; to prescribe the qualifications and the duties of such officer; to provide notice to the public for the intention thereof; and to prescribe the benefits of such officer.

was taken up.

On motion of Senator Bedford, further consideration of the Bill, S. B. 269, was postponed subject to the call of the Chair.

**MOTION IN WRITING**

Senator Covington requested and received permission to offer the following Motion in Writing, to-wit:

I move that the Bill, S. B. 385, on page 65 of the Fifteenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 385, referred to the Standing Committee on Rules for placement on the Consent Calendar.

**BUDGET ISOLATION RESOLUTION**

Senator Foshee, B. I. R., S. B. 61, adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	Covington	Foshee	Menton	
Aldridge	Denton	Goodwin	Parsons	
Bedford	Dial	Hand	Strong	
Cabaniss	Drinkard	Holmes	Teague	
Corbett	Ellis	Little		—18

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 61. To amend Section 29-1-22, Code of Alabama 1975, which provides for legislative funding, so as to provide further for said funding.

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was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Little	
Aldridge	Covington	Goodwin	Menton	
Bailey	Denton	Hand	Strong	
Bedford	Drinkard	Hilliard	Teague	
Bishop	Ellis	Holmes		—18

*Nays:* —0

**RESOLUTION**

Senators Corbett, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Horn, Langford, Little, Menton, Mitchem, Parsons, Sanders, Smith (B), Smith (J), Strong, and Teague offered the following Senate Resolution, to-wit:

S. R. 185. COMMENDING ADA KATE MORGAN FOR DISTINGUISHED SERVICE TO THE ALABAMA DEPARTMENT OF PEN-  
SIONS AND SECURITY IN BULLOCK AND MONTGOMERY  
COUNTIES.

Which was filed.

**BUDGET ISOLATION RESOLUTION**

Senator Bailey, B. I. R., S. B. 344, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Menton	
Aldridge	Denton	Goodwin	Parsons	
Bailey	Dial	Hand	Smith (J)	
Bedford	Drinkard	Holmes	Strong	
Bedsole	Ellis	Langford		—18

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

THE BILL:

S. 344. To amend Section 2 of Act No. 85-124 which made certain appropriations from the general fund, so that the balance of the appropriation made to the Children's Trust Fund shall not revert at the end of the fiscal year.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Little	
Aldridge	Cabaniss	Goodwin	Menton	
Bailey	Covington	Hand	Smith (J)	
Barron	Denton	Holmes	Strong	
Bedford	Ellis	Langford		—18

Nays: —0

**BUDGET ISOLATION RESOLUTION**

Senator Bailey, B. I. R., S. B. 235, adopted.

Yeas 19; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Langford	
Aldridge	Cabaniss	Goodwin	Little	
Bailey	Denton	Hand	Menton	
Barron	Dial	Holmes	Parsons	
Bedsole	Ellis	Horn	Smith (J)	—19

Nays: —0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 235. To provide for the foster children of the state of Alabama an annual school clothing and supplies allowance.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, S. B. 235, to-wit:

**AMENDMENT TO S. B. 235**

Amend SB 235, Page 1, by striking out in its entirety Section 3, and inserting the following:

“The payment of funds for this program shall be contingent on sufficient funds being appropriated for this purpose by the Legislature.”

Which was adopted.

Yeas 19; Nays 0.

Yeas:

Senators:	Bedsole	Foshee	Langford	
Aldridge	Cabaniss	Goodwin	Little	
Bailey	Covington	Hand	Menton	
Barron	Denton	Holmes	Smith (B)	
Bedford	Ellis	Horn	Strong	—19

Nays: —0



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And said Bill, S. B. 235, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Covington	Hand	Menton
Aldridge	deGraffenried	Holmes	Parsons
Bailey	Denton	Horn	Smith (B)
Bedford	Ellis	Langford	Smith (J)
Bedsole	Figures	Little	Strong
Bennett	Goodwin		

—21

*Nays:* —0

**FURTHER CONSIDERATION OF S. B. 269**

The Senate proceeded to further consideration of the Bill, S. B. 269.

Senator Little requested and received permission to suspend the Rules in order to offer the following amendment to the Bill, S. B. 269, to-wit:

**AMENDMENT TO S. B. 269**

Amend Senate Bill No. 269 Page 1 Line 33 & 34, by striking out after the "is" on line 33 the word either and on line 33 following the word "blind" delete the comma ",", and insert inlieu thereof a period "." And furthermore delete on line 34 the words "or who is totally disabled."

Which was adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Bennett	Goodwin	Little
Aldridge	Cabaniss	Hand	Menton
Barron	Corbett	Holmes	Smith (B)
Bedford	Covington	Horn	Strong
Bedsole	Ellis	Langford	

—18

*Nays:* —0

Senator Horn requested and received permission to suspend the Rules in order to offer the following amendment to the Bill, S. B. 269, as amended, to-wit:

**AMENDMENT TO S. B. 269, AS AMENDED**

Amend Senate Bill No. 269 Page 1 Line 19, by inserting except Counties with a population over 200,000" after the word Commission. Also on line 25 after the word "commission" insert "except counties with a population over 200,000".

Which was adopted.

Yeas 19; Nays 0.

Yeas:

Senators:	Bedsole	Goodwin	Parsons	
Aldridge	Bennett	Holmes	Smith (B)	
Bailey	Corbett	Horn	Smith (J)	
Barron	Denton	Little	Strong	
Bedford	Ellis	Menton	Teague	—19

Nays: —0

And said Bill, S. B. 269, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 13; Nays 5.

Yeas:

Senators:	Bishop	Foshee	Menton	
Barron	Covington	Goodwin	Parsons	
Bedford	Denton	Horn	Strong	
Bennett	Ellis			—13

Nays:

Senators:	Bailey	Hand	Little	
Aldridge	Corbett			—5

**BUDGET ISOLATION RESOLUTION**

Senator Aldridge, B. I. R., S. B. 206, adopted.

Yeas 22; Nays 0.

Yeas:

Senators:	Bennett	Goodwin	Menton	
Aldridge	Corbett	Hand	Parsons	
Bailey	Covington	Holmes	Smith (B)	
Barron	Denton	Horn	Strong	
Bedford	Ellis	Langford	Teague	
Bedsole	Foshee	Little		—22

Nays: —0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 206. Relating to "The Lifesaving Organ Procurement Act of 1986", to state the Legislative intent; to define the word "organ" and "attending physician", to better provide for the public health by providing that on the occurrence of death of a patient in a hospital, who has not made an anatomical gift to take place upon death, the hospital administrator, or designated representative to request, of specified survivors, in accordance with Section 22-19-42 (b), Code of Alabama, 1975, in the order of priority stated, and when persons in prior classes are not available at the time of death, and in the absence of actual notice to the contrary by the decedent or one in a prior class, to consent to the gift of organs of the decedent's body; to provide such request and its disposition shall be noted in the patient's medical record;

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to provide, where, based upon medical criteria that such a request would not yield an anatomical gift which would be suitable for use, or, where, based upon the special and peculiar knowledge of the attending physician and/or concerning the circumstances surrounding the death of the patient, there is an exception to the request required by this Article and such determination shall be noted in the patient's medical record; to provide for immunity from civil damages or criminal prosecution to any person who acts in good faith accord; and to provide that the provisions of this Article are cumulative and, insofar as possible, shall be construed in pari materia with other laws relating to the public health and anatomical gifts.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Senators:	Bishop	Goodwin	Menton
Aldridge	Corbett	Hand	Mitchem
Bailey	Covington	Holmes	Parsons
Barron	Denton	Horn	Smith (J)
Bedford	Ellis	Langford	Strong
Bedsole	Foshee	Little	Teague
Bennett			

—24

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Aldridge, B. I. R., S. B. 214, adopted.

Yeas 22; Nays 0.

Yeas:

Senators:	Covington	Hand	Mitchem
Aldridge	Denton	Holmes	Parsons
Bailey	Dial	Horn	Smith (J)
Bedsole	Ellis	Langford	Strong
Bishop	Foshee	Little	Teague
Corbett	Goodwin	Menton	

—22

Nays:

—0

**BILLS ON THIRD READING RESUMED**

THE BILL:

S. 214. Relating to the acquisition and transportation and transplantation of donor organs; to state the legislative intent; to define the terms chairman, person, quality assurance, organ and service; to provide that the chairman is to establish policies, procedures and standards and certify compliance with the established quality assurance standards of persons engaging in organ acquisition, and/or transportation, and/or transplantation but Chairman shall not certify a person until that person possesses and demonstrates to the Chairman the necessary knowledge and technical skills to comply with the established standards of quality assurance; to provide that persons providing any service pertaining to the acquisition and/or transportation and/or transplantation of organs shall strictly adhere to and follow established

quality assurance standards; to provide for sanctions for persons providing services in violation of the established policies and procedures and standards of the Chairman for quality assurance in that they shall not receive reimbursement for such services from programs administered by the State of Alabama, and that Chairman will recommend to other reimbursing agencies that reimbursement be denied; to provide for immunity from civil damages or criminal prosecution to any person who, in good faith, follows the policies and procedures and standards established by the Chairman, and complies with the provisions of the Alabama Uniform Anatomical Gift Act; and to provide the Article is cumulative and to be construed in *pari materia* with other laws relating to the public health and anatomical gifts and when standards of quality assurance are adopted by the federal government, Alabama standards shall be consistent with federal regulations.

was taken up.

The Standing Committee on Health and Welfare reported the following substitute for the Bill, S. B. 214, to-wit:

### **SUBSTITUTE FOR S. B. 214**

#### **A BILL TO BE ENTITLED AN ACT**

Relating to the acquisition and/or transportation of donor organs retrieved in Alabama; to state the legislative intent; to define the terms chairman, person, quality assurance, organ and service; to provide that the chairman is to establish policies, procedures and standards and certify compliance with the established quality assurance standards of persons engaging in organ acquisition, and/or transportation, of organs retrieved in Alabama; but Chairman shall not certify a person until that person possesses and demonstrates to the Chairman the necessary knowledge and technical skills to comply with the established standards of quality assurance; after Chairman establishes and promulgates initial standards of quality assurance, Chairman is to circulate proposed updating of quality assurance standards to institutions then performing organ transplantation, but Chairman shall still have final and sole decision to establish and promulgate whatever appropriate for updating standards of quality assurance; to provide that persons providing any service pertaining to the acquisition and/or transportation of organs retrieved in Alabama shall strictly adhere to and follow established quality assurance standards; to provide for sanctions for persons providing services in violation of the established policies and procedures and standards of the Chairman for quality assurance in that they shall not receive reimbursement for such services from programs administered by the State of Alabama, and that Chairman will recommend to other reimbursing agencies that reimbursement be denied; to provide for immunity from civil damages or criminal prosecution to any person who, in good faith, follows the policies and procedures and standards established by the Chairman, and complies with the provisions of the Alabama Uniform Anatomical Gift Act; and to provide the Article is cumulative and to be construed in *pari materia* with other laws relating to the public health and anatomical gifts and when standards of quality assurance are adopted by the federal government, Alabama standards shall be consistent with federal regulations.

#### **BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

##### **Section 1. Legislative Intent**

(a) The acquisition and transportation and transplantation of donor organs, bones and tissues is becoming more commonplace as new scientific

and technological developments find better ways to conquer the human bodies rejection of such transplanted organs, bones and tissues. In its concern that donee recipients be provided the best possible quality assurance that such donated organs, bones and tissues, retrieved in Alabama are free from any contagious or communicable disease or defect, the Legislature intends to establish in this Act a framework for the development of appropriate standards of care and quality assurance for the acquisition and/or transportation of organs, bones and tissues retrieved in Alabama.

(b) It is also the intent of this Act to recognize and utilize the quality assurance already developed in Alabama by the Department of Surgery of the School of Medicine, at the University of Alabama at Birmingham Medical Center by authorizing the Chairman of the Department of Surgery to establish and promulgate the standards of proficiency and fitness and measures and procedures necessary to assure that persons involved in organ acquisition and/or transportation of organs retrieved in Alabama possess and provide the necessary knowledge and technical skills to acquire and/or transport organs, bones and tissues within acceptable levels of quality assurance.

(c) It is also the intent of this Act to provide sanctions against persons who fail to adhere to and follow such established policies and procedures and standards for quality assurance in the acquisition and/or transportation in Alabama of donor organs, bones, and tissues retrieved in Alabama.

Section 2. Definitions—As used in this Act.

(a) “Chairman” means the Chairman of the Department of Surgery, School of Medicine, at the University of Alabama at Birmingham.

(b) “Person” means any person, firm, partnership, association, joint venture, or corporation, and any combination of persons herein specified, but “person” shall not include the United States or any agency or instrumentality thereof, except in the case of voluntary submission to the policies and procedures and standards for quality assurance established by this Act and by the “Chairman”.

(c) “Quality Assurance” means the policies and procedures and standards of quality for the acquisition and/or transportation of donated organs, bones, and tissue retrieved in Alabama.

(d) “Organ” means any human organ, human bone or human tissue, or any other part or portions of the human body, retrieved in Alabama except that the term “organ” shall not include blood, blood products, or eyes or corneas of the eye for the purposes established by this Act.

(e) “Service” means any service pertaining to the acquisition and/or transporting of organs, bones, or tissues retrieved in Alabama.

Section 3. Chairman of Surgery Department to establish standards and certify compliance with quality assurance standards.

(a) The Chairman of the Department of Surgery of the School of Medicine at the University of Alabama at Birmingham is authorized to establish and promulgate the standards of proficiency and fitness measures and procedures for quality assurance in the acquiring and/or transporting of organs, bones, and tissues retrieved in Alabama.

(b) The Chairman of the Department of Surgery of the School of Medicine at the University of Alabama at Birmingham shall certify when a person shall be allowed to acquire and/or transport any organ, bone or tissue

retrieved in Alabama. The Chairman shall not certify any person to acquire and/or transport any organ, bone or tissue to be retrieved in Alabama until such person possesses and demonstrates to the Chairman the necessary knowledge and technical skills to comply with the established standards of proficiency and fitness.

(c) After the Chairman establishes and promulgates the initial standards of quality assurance, any proposed subsequent updating, except to meet federal standards, are to be circulated for comment only, to any institution in Alabama then performing organ transplants. The Chairman shall still have the final and sole decision to establish and promulgate whatever is appropriate for updating the standards of quality assurance.

Section 4. Services Performed by Persons Engaged in Acquisition and/or Transportation of organs retrieved in Alabama.

(a) Any person providing any service pertaining to the acquisition and/or transportation of donor organs, bones and tissues retrieved in Alabama, shall strictly adhere to and follow the established quality assurance standards of proficiency and fitness and measures and procedures as established and promulgated by the Chairman.

Section 5. Sanctions—Persons in violation of this Act not to receive reimbursement for Services.

(a) Any person providing services in violation of the established policies and procedures and standards for quality assurance, as established and promulgated by the Chairman, shall not receive reimbursement for such services. This provision applies to all reimbursement programs administered by the State of Alabama. Recommendations, by the Chairman, will be made to other reimbursing agencies that reimbursement be denied.

Section 6. Persons complying with this Article and with Alabama Uniform Anatomical Gift Act; no liability.

(a) Any person who, in good faith, follows the policies and procedures and standards as established by the Chairman for quality assurance, and complies with the provisions of the Alabama Uniform Anatomical Gift Act, shall not have any liability, either civil or criminal, for such acquiring, and/or transporting any organs, bones, or tissues retrieved in Alabama.

Section 7. Article Accumulative; Conflicting Laws.

(a) The provisions of this Article are cumulative and insofar as possible, they shall be construed in *pari materia* with other laws relating to the public health and anatomical gifts.

(b) At such time that standards of quality assurance for the acquisition and/or transporting and/or transplanting of donated organs, bones and tissues are adopted by the federal government, said Alabama standards of quality assurance shall be consistent with the appropriate federal regulations.

Section 8. Severability.

(a) If any provision, clause, sentences, paragraphs, section, phrase, or part of this Act shall be adjudged by any court of competent jurisdiction to be invalid, the judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined to its operation to the clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which the judgment shall have been rendered. To this end, the provisions,

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clauses, sentences, paragraphs, sections, phrases or parts of this Act are declared to be severable.

Section 9. Effective Date.

(a) This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Menton	
Aldridge	Covington	Hand	Mitchem	
Barron	Denton	Holmes	Parsons	
Bedsole	Dial	Horn	Strong	
Bennett	Ellis	Langford	Teague	
Bishop	Foshee	Little		—22

*Nays:* —0

And said Bill, S. B. 214, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 23; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Menton	
Aldridge	Covington	Hand	Mitchem	
Barron	Denton	Holmes	Parsons	
Bedsole	Dial	Horn	Smith (J)	
Bennett	Ellis	Langford	Strong	
Bishop	Foshee	Little	Teague	—23

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Covington, B. I. R., S. B. 304, adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Menton	
Aldridge	Dial	Holmes	Parsons	
Bedsole	Ellis	Horn	Smith (B)	
Bennett	Foshee	Langford	Strong	
Corbett	Goodwin	Little	Teague	
Covington				—20

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

THE BILL:

S. 304. To amend Sections 36-20-3 and 36-20-31 of the Code of Alabama 1975, which sections relate to surety bond requirements for county and state

at large notaries public, respectively, so as to increase the dollar amount of such bonds.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Covington	Holmes	Smith (B)	
Aldridge	Drinkard	Horn	Smith (J)	
Barron	Ellis	Little	Strong	
Bedsole	Foshee	Menton	Teague	
Bennett	Goodwin	Parsons		—18

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

Senator Ellis, B. I. R., S. B. 336, adopted.

Yeas 17; Nays 0.

Abstaining 1.

*Yeas:*

Senators:	Cabaniss	Foshee	Menton	
Aldridge	Corbett	Goodwin	Parsons	
Bedsole	Covington	Holmes	Strong	
Bennett	Dial	Langford	Teague	
Bishop	Ellis			—17

*Nays:* —0

*Abstaining:* Senator Little —1

### REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 316. To amend Section 28-3A-11 of the Code of Alabama 1975, relating to lounge retail liquor license so as to create a separation of package retail liquor license from the lounge retail liquor license.

CHARLES BISHOP,  
Chairperson.

### SPECIAL ORDER

#### BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

S. 170. To require all state entities and political sub-divisions thereof to purchase American made goods and to provide that contracts in violation are void.



The Standing Committee on Business and Labor Relations reported the following substitute for the Bill, S. B. 170, to-wit:

**SUBSTITUTE FOR S. B. 170**

**A BILL  
TO BE ENTITLED  
AN ACT**

To require all state entities and political sub-divisions thereof to purchase American made goods and to provide that contracts in violation are void.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. All state departments, agencies, institutions, entities, and political sub-divisions thereof shall purchase American made goods if such goods are available. In all instances where competitive bids are required, the purchasing agent shall specify that the goods shall be American made. All competitive bid laws shall be read in pari materia with this act.

Section 2. For the purpose of this act, the term "American made" shall mean that on July 1, 1986, 30% of the components whose final fabrication and/or assembly into the end product was completed within the United States. Effective July 1, 1987, 40% of the components whose final fabrication and/or assembly into the end product was completed within the United States, and effective July 1, 1988, 51% of the components whose final fabrication and/or assembly into the end product was completed within the United States. Raw materials used in the composition of components for the final fabrication and/or assembly into the end product are exempt from this act.

Section 3. All medical machinery, equipment, tools and instruments necessary for research and patient care are exempt from this act. This does not include equipment and supplies for building maintenance, housekeeping, kitchen and office.

Section 4. Nothing in the act shall be construed to conflict with any Federal requirements for the expenditures of Federal aid funds for any state department, agency, institution, entity or political sub-division thereof.

Senator Parsons offered the following substitute for the committee substitute for the Bill, S. B. 170, to-wit:

**SUBSTITUTE FOR COMMITTEE SUBSTITUTE FOR S. B. 170**

**A BILL  
TO BE ENTITLED  
AN ACT**

To require all state entities and political sub-divisions thereof to purchase American made goods, to provide that contracts in violation are void, and to provide certain exceptions.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. All state departments, agencies, institutions, entities, and political sub-divisions thereof shall purchase American made goods if such goods are available. In all instances where competitive bids are required, the purchasing agent shall specify that the goods shall be American made. All competitive bid laws shall be read in pari materia with this act.

Section 2. For the purpose of this act, the term "American made" shall mean that on January 1, 1987, 20% of the cost of the components, as stated in the bid, whose final fabrication and/or their assembly into the end product was completed within the United States; effective January 1, 1988, 30% of the cost of the components, as stated in the bid, whose final fabrication and/or their assembly into the end product was completed within the United States; effective January 1, 1989, 40% of the cost of the components, as stated in the bid, whose final fabrication and/or their assembly into the end product was completed within the United States; and effective January 1, 1990, 51% of the cost of the components, as stated in the bid, whose final fabrication and/or their assembly into the end product was completed within the United States. Raw materials, except coal, used in the composition of components for the final fabrication and/or their assembly into the end product are exempt from this act.

Section 3. All medical tools and instruments necessary for research and patient care and all items purchased for resale are exempt from this act. This does not include equipment and supplies for building maintenance, housekeeping, kitchen and office.

Section 4. Nothing in the act shall be construed to conflict with any Federal requirements for the expenditures of Federal aid funds for any state department, agency, institution, entity or political sub-division thereof.

Section 5. Any contract entered into by the state or any political sub-division thereof in violation of the provisions of this act shall be null and void.

Section 6. All laws or parts of laws which conflict with this act are hereby repealed.

Section 7. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

### **MOTION TO ADJOURN**

Senator Parsons moved that the Senate adjourn until Tuesday, March 4, 1986, at 2 o'clock P.M., which motion was lost.

### **FURTHER CONSIDERATION OF S. B. 170**

The Senate proceeded to further consideration of the Bill, S. B. 170. The question was on the Parsons substitute for the Committee substitute for the Bill, S. B. 170.

### **ADJOURNMENT**

At 3:33 P. M., on motion of Senator Hand, in accordance with Motion heretofore adopted and pending further consideration of S. B. 170, the Senate adjourned until Tuesday, March 4, 1986, at 2 o'clock P.M.

## **SIXTEENTH LEGISLATIVE DAY**

**TUESDAY, MARCH 4, 1986**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

### **PRAYER**

The Session was opened with prayer by Mr. Stan McDonald, Youth Pastor, Eastwood Presbyterian Church, Montgomery, Alabama.

### **PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Stacy Cook, Houston Academy, Dothan, Alabama.

### **ROLL CALL**

Present:

Senators:	Cooley	Figures	Menton
Aldridge	Corbett	Foshee	Mitchem
Amari	Covington	Goodwin	Parsons
Bailey	deGraffenried	Hand	Sanders
Barron	Denton	Hilliard	Smith (B)
Bedsole	Dial	Holmes	Smith (J)
Bennett	Dixon	Horn	Strong
Bishop	Drinkard	Langford	Teague
Cabaniss	Ellis	Little	

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### **JOURNAL**

On motion of Senator Goodwin, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

### **REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fifteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

### **COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Fifteenth Legislative Day was approved by the Senate.

### **LEAVE OF ABSENCE**

On motion of Senator Goodwin, leave of absence was granted Senator Bedford for today.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, and House Joint Resolutions, your signature thereto is requested.

H. 50. Relating to Lauderdale County; to extend, alter, and rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

Also:

H. J. R. 26. NAMING A PORTION OF U.S. HIGHWAY 98 IN MOBILE COUNTY, ALABAMA, THE "MOFFETT ROAD."

Also:

H. J. R. 67. RECOGNIZING AND ENDORSING JANUARY 20-24, 1986, AS LAW AWARENESS WEEK IN ALABAMA.

Also:

H. J. R. 101. COMMENDING SUSAN COURTNEY HEDGEPEETH, ALABAMA'S JUNIOR MISS 1986.

Also:

H. J. R. 102. COMMENDING CATHERINE PRUETT OF MOBILE, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

H. J. R. 103. CONGRATULATING MR. AND MRS. WALTER ALLEN PRINE ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

H. J. R. 104. COMMENDING MRS. SALLIE BROOKS, SCOTTSBORO, ALABAMA, ON THE OCCASION OF HER 100th BIRTHDAY.

Also:

H. J. R. 105. COMMENDING KENNETH TOWNSON FOR OUTSTANDING SERVICE TO THE HIGDON, BRYANT AND FLAT ROCK COMMUNITIES.

Also:

H. J. R. 106. COMMENDING 1985 ALL-PRO CHAMPION, STEVE GRISSOM OF GADSDEN, ALABAMA.

Also:

H. J. R. 112. MOURNING THE DEATH OF WILLIAM RALPH CHAMBERS.

Also:

H. J. R. 113. COMMENDING JACK HALE, PROMINENT BESSEMER EDUCATOR.

Also:

H. J. R. 114. CONGRATULATING MR. AND MRS. VIRGIL SADBERRY ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

H. J. R. 115. CONGRATULATING MR. AND MRS. LAWRENCE NOLEN ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

H. J. R. 117. COMMENDING MRS. ANNA I. JOHNSON OF SUMTER COUNTY, ALABAMA.

Also:

H. J. R. 124. COMMENDING JAMES F. CALDWELL FOR DISTINGUISHED VOLUNTEER SERVICE.

Also:

H. J. R. 129. COMMENDING DANNY KENNETH CROWNOVER FOR OUTSTANDING ACHIEVEMENT.

Also:

H. J. R. 131. COMMENDING T. KEITH KING OF MOBILE, ALABAMA, FOR OUTSTANDING PROFESSIONAL ACHIEVEMENT.

Also:

H. J. R. 132. COMMENDING LEWIS W. FLOWERS ON HIS DISTINGUISHED CAREER AT ALABAMA AVIATION AND TECHNICAL COLLEGE.

Also:

H. J. R. 134. COMMENDING THE UNIVERSITY OF MONTEVALLO LADY FALCONS VOLLEYBALL TEAM.

Also:

H. J. R. 176. CONGRATULATING MRS. DODIE McLAUGHLIN EVANS OF FAIRVIEW, ALABAMA, ON THE OCCASION OF HER 100th BIRTHDAY.

Also:

H. J. R. 188. DESIGNATING THE OUTDOOR HISTORICAL DRAMA OF THE JASMINE HILL ARTS COUNCIL AS THE OFFICIAL STATE OUTDOOR DRAMA.

JOHN W. PEMBERTON,  
Clerk.

### **SIGNING OF BILLS AND RESOLUTIONS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been

publicly read at length by the Secretary of the Senate, signed the foregoing Bill and House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 222. COMMENDING THE ALABAMA COOPERATIVE EXTENSION SERVICE ON HOME ECONOMICS ON ITS 75TH ANNIVERSARY.

Also:

H. J. R. 223. COMMENDING THE ALABAMA EXTENSION HOMEMAKERS COUNCIL ON ITS 60TH ANNIVERSARY.

Also:

H. J. R. 224. CONGRATULATING MR. AND MRS. L. WALTER ASH ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

H. J. R. 225. HONORING SCOTT CUNNINGHAM OF EIGHT MILE, ALABAMA, THE MARCH OF DIMES NATIONAL AMBASSADOR AND 1985-86 POSTER CHILD.

Also:

H. J. R. 227. MOURNING THE DEATH OF JAMES H. WILLIAMS OF MOBILE, ALABAMA.

Also:

H. J. R. 228. MOURNING THE DEATH OF JULIUS VERNON WILLIAMS OF BALDWIN COUNTY, ALABAMA.

Also:

H. J. R. 229. MOURNING THE DEATH OF SCEARS LEE, JR., OF MOBILE, ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 189. PROCLAIMING FEBRUARY AS COMMUNITY, JUNIOR AND TECHNICAL COLLEGE MONTH IN ALABAMA.

Also:

H. J. R. 190. COMMENDING ADA KATE MORGAN FOR DISTINGUISHED SERVICE TO THE STATE OF ALABAMA AND THE COMMUNITY.

Also:

H. J. R. 191. MOURNING THE DEATH OF ELDER BARBARA JEAN THOMAS OF MOBILE, ALABAMA.

Also:

H. J. R. 192. COMMENDING ELAINE ROUSSOS OF MOBILE, ALABAMA, 1985 FIRST LADY OF MOBILE.

Also:

H. J. R. 193. COMMENDING COACH JOE WILSON AND THE OPELIKA HIGH SCHOOL BULLDOGS ON THEIR PHENOMENAL PERFECT SEASON RECORD FOR 1985.

Also:

H. J. R. 196. CONGRATULATING MR. AND MRS. MAURICE ALBERT DEAS ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

H. J. R. 198. NAMING THE UNIVERSITY CENTER AT ALABAMA STATE UNIVERSITY, MONTGOMERY, ALABAMA, THE "JOHN GARRICK HARDY UNIVERSITY CENTER".

Also:

H. J. R. 199. COMMENDING DR. TOMMY RUSSELL OF THE UNIVERSITY OF ALABAMA FACULTY.

Also:

H. J. R. 200. COMMENDING THE JUNIOR LEAGUE OF MONTGOMERY ON ITS SIXTIETH ANNIVERSARY OF SERVICE TO THE COMMUNITY.

Also:

H. J. R. 201. MEMORIALIZING THE ALABAMA CONGRESSIONAL DELEGATION TO SAVE THE COOPERATIVE EXTENSION SERVICE PROGRAMS IN ALABAMA OPERATED BY LAND-GRANT COLLEGES AND UNIVERSITIES, INCLUDING AUBURN UNIVERSITY, ALABAMA A&M UNIVERSITY AND TUSKEGEE UNIVERSITY.

Also:

H. J. R. 206. COMMENDING THE ALABAMA EMPLOYMENT SERVICE IN SELMA, ALABAMA.

Also:

H. J. R. 207. COMMENDING ANN MAJORS WOOD OF SELMA, ALABAMA.

Also:

H. J. R. 208. COMMENDING JAMES H. WILLIAMS OF SELMA, ALABAMA, AS "CITIZEN OF THE YEAR."

Also:

H. J. R. 209. COMMENDING DAVID MULLINS OF SELMA, ALABAMA'S EASTER SEAL POSTER CHILD.

Also:

H. J. R. 214. DESIGNATING THE MONTH OF FEBRUARY AS BLACK HISTORY MONTH IN ALABAMA.

Also:

H. J. R. 215. MOURNING THE DEATH OF MAY GILL CARLIN OF MOBILE, ALABAMA.

Also:

H. J. R. 216. MOURNING THE DEATH OF DAWN CORINE ALL-FREY OF ATHENS, ALABAMA.

Also:

H. J. R. 220. NAMING THE STATE ADMINISTRATIVE BUILDING IN THE CAPITOL COMPLEX IN MONTGOMERY, ALABAMA, THE "JAMES E. FOLSOM ADMINISTRATIVE BUILDING."

Also:

H. J. R. 221. COMMENDING WILLIAM C. HAMILTON ON HIS DISTINGUISHED CAREER WITH THE ALABAMA DEPARTMENT OF PUBLIC SAFETY.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

### INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Denton:

S. 532. To authorize the governing body of any Class 7 municipality operating under a commission form of government and organized pursuant to Sections 11-44-1 through 11-44-57 inclusive, Code of Alabama 1975, as amended, to adopt an ordinance to designate the places and responsibilities of the commissioners of such municipality; to require candidates desiring to run for a place on the commission to qualify for election to the designated



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place in which they desire to serve; and to prohibit further changes by ordinance once the designations have been made but, on the contrary, to require such additional changes to be authorized by legislative act.

Committee on Local Legislation No. 1.

By Senator Aldridge:

S. 533. To add Section 34-30-34 to Chapter 30, Code of Alabama 1975, to provide penalties for the unauthorized practice of social work.

Committee on Governmental Affairs.

By Senator Aldridge:

S. 534. To amend Section 26-16-30 of the Code of Alabama 1975 relating to the Child Abuse and Neglect Prevention Board so as to further prescribe for disbursement of funds.

Committee on Finance and Taxation.

By Senator Aldridge:

S. 535. Relating to children enrolled in public schools of this state, grades K through 8; to require schools to make a reasonable attempt to notify parents or custodial guardians of unauthorized absences; to require the parent or custodial guardian to furnish the school system one or two telephone numbers at the time of student enrollment; to provide a procedure to satisfy the school reporting requirements; and to exempt school personnel from civil liability for good faith effort to notify.

Committee on Education.

By Senator Aldridge:

S. 536. To amend Section 34-30-27, Code of Alabama 1975, to provide that persons seeking licensure under this section must do so within 60 days from the passage of this amendment.

Committee on Governmental Affairs.

By Senator Aldridge:

S. 537. To amend Section 34-30-1, Code of Alabama 1975, relating to the definition of "Social Work Practice" to accurately indicate the services performed through the application of social work values, methods and techniques.

Committee on Health and Welfare.

By Senator Dial:

S. 538. To amend section 32-6-272, Code of Alabama 1975, relating to the issuance of license plates to fire fighters, so as to authorize the issuance of said plates at no cost to the recipient.

Committee on Commerce,  
Transportation, and Utilities.

By Senator Drinkard:

S. 539. To amend Section 34-24-51 of the Code of Alabama 1975, relating to practicing medicine or osteopathy without a license, as as to

provide for exemption of accredited Christian Scientists practicing healing by spiritual means.

Committee on Health and Welfare.

By Senator deGraffenried (With Notice and Proof):

S. 540. Relating to Tuscaloosa County and the Firemen's and Police-men's Pension and Relief Fund for the City of Tuscaloosa; further amending Sections 2, 4, 8, 9 and 10 of Act No. 328, H. 854 Regular Session 1959 (Acts 1959, p. 907), as last amended, which provide for the composition of the Board of Trustees and the conduct of its business, so as to provide further for the membership of such board and the manner of electing certain members of such board and the manner of conducting its business, and certain of the functions of the Secretary of the Board.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 540, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator deGraffenried:

S. 541. To provide for an exemption from state, county and municipal ad valorem taxes all developed, improved and duly approved and recorded subdivisions real property residential lots, together with any residential structure improvements constructed thereon, provided however, that such exemption shall inure only to the benefit of the person owning title to and developing or improving such real property lots who shall not have conveyed title to such real property lots to another person and provided further, that any residential structure situated on such real property lots shall be new, unsold and unoccupied; and provided further, that said exemption shall apply only to such value attributed to the subdivision of unsubdivided real property into residential lots and the construction of new residential dwellings thereon and not to such ad valorem taxes as may be attributable to such real property in the fiscal year or years immediately preceding the subdivision and improvement thereof; and provided further, that such exemption shall automatically expire on each subdivision lot at the end of any fiscal year in which each such lot is conveyed to another or in which any residential structure situated thereon becomes occupied by any person.

Committee on Finance and Taxation.

By Senator deGraffenried:

S. 542. To provide that the repeal of Supernumerary Judge Laws shall not affect the method of computing the compensation of Supernumerary District Attorneys.

Committee on Judiciary.

By Senator Strong:

S. 543. Proposing an amendment to the Constitution of Alabama authorizing the incorporation in Marengo County of port authorities for the

purpose of the development and commercial use of the inland waterways in such county.

Committee on Constitutional Revision.

The above Bill was read a first time at length as required by the Constitution.

By Senator Foshee:

S. 544. To amend Section 36-32-2 of the Code of Alabama 1975, as amended, relating to the composition of the Alabama fire fighters' personnel standards and education commission so as to add two members to said board.

Committee on Governmental Affairs.

By Senator Foshee:

S. 545. To amend Sections 14-7-7, 14-7-8, 14-7-10, 14-7-12, 14-7-16 and 14-7-22, Code of Alabama 1975, relating to prison-made goods, so as to provide further for effective inmate work programs and to exempt such programs from certain provisions of the state competitive bid law; and to exempt certain personnel employed in the prison-made goods programs from the merit system law.

Committee on Small Business.

By Senator Drinkard (With Notice and Proof):

S. 546. To amend Act No. 61, Acts of the Legislature, 1971, which created and established the Etowah County Solid Waste and Park and Recreation Authority.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 546, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Smith (B):

S. 547. To provide for the incorporation of the Alabama Space Science Exhibit Finance Authority; to provide for the Authority's members, officers and directors; to empower the Authority to acquire and hold title to real and personal property and to sell, convey or lease that property; to provide for the leasing of facilities owned by the Authority to certain entities; to authorize the sale and issuance of bonds and refunding bonds by the Authority and to grant mortgages upon security interests in its facilities and to pledge for payment on its bonds the rents and revenues from such facilities; to provide the Authority has the same power of eminent domain as the State; to provide temporary loans in anticipation of the issuance of bonds; to provide for the disposition of proceeds from the sale of bonds issued by the Authority; to provide that the principal of, premium, if any, and interest on the bonds shall be secured by rents and revenues of facilities, proceeds from the sale of the facilities, unexpended bond proceeds, insurance proceeds and/or mortgage or security interest in the facilities; to exempt the property of the Authority from taxation; to provide that venue for any action arising out of this Act shall be the circuit court of Madison County, Alabama; to

provide for dissolution of the Authority; to exempt the Authority from the competitive bid law; to exempt the Authority from the Sunset Law; to provide that the provisions of the Act are severable; and to provide an effective date.

Committee on Industrial Expansion,  
Economic Growth, and Jobs.

By Senator Mitchem (With Notice and Proof):

S. 548. Relating to Marshall County; to amend Section IV of Act No. 1899, S. 953, 1971 Regular Session (Acts 1971, p. 3088), entitled, "An Act Relating to Marshall County; to require the use of voting machines at all polling places; to permit electors to register to vote on any voting machine at the designated voting place; to permit the consolidation of polling places; to provide for employment of a custodian of voting machines, how appointed, qualifications, salary, bond; to allow candidates in an election the right to designate a representative to be present at the opening of each voting machine for tabulation of results; candidates to have right to demand in writing of body in charge of ballot boxes to break seals for recanvass of votes in voting machines," so as to increase the salary of the custodian of voting machines.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 548, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Amari (With Notice and Proof):

S. 549. Relating to Jefferson County; providing a uniform compensation schedule for all law enforcement officers in the sheriff's department.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 549, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Teague:

S. 550. Proposing an amendment to the Constitution of Alabama of 1901, establishing a state attorneys' inquiry commission which shall conduct investigations into complaints concerning state attorneys; creating a court of state attorneys to hear complaints filed by the commission; creating a state attorneys' canon promulgating committee to promulgate canons of ethics; and authorizing the legislature to provide a retirement program for district attorneys.

Committee on Constitutional Revision.

The above Bill was read a first time at length as required by the Constitution.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 60. Relating to Cullman County; to amend further Act No. 711, H. 1109, Regular Session 1976 (Acts 1976, p. 991), as amended by Act No. 81-1037, H. 38, Second Special Session 1981 (Special Session Acts 1981, p. 237), and Act No. 85-886, H. 13, Regular Session 1985, which act charges a court cost in criminal cases to be remitted to the juvenile probation fund and the county sheriff's office, so as to charge an additional \$3.00 court cost on each criminal case in the county, the proceeds to be earmarked for juvenile programs, and expenses and subsistence for the juvenile probation officer's office, to specifically repeal Act 85-886, H. 13, 1985 Regular Session, and to provide that this act shall be retroactively effective to September 19, 1985.

Also:

S. 63. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of St. Florian in Lauderdale County.

Also:

S. 185. Relating to Baldwin County; to alter, rearrange and extend the boundary lines and corporate limits of the municipality of Gulf Shores, in Baldwin County; to provide for a referendum election of the qualified electors who reside within the territory proposed to be brought within the municipal limits of Gulf Shores.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 56. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Radiation Control Agency and the Radiation Advisory Board as provided in Sections 22-14-1 through 22-14-35 of the Code of Alabama 1975; and the legislature's concurrence thereof.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 48. Relating to the Alabama Sunset Law; to continue the existence and functioning of the board of heating and air conditioning contractors as provided in Sections 34-31-18 through 34-31-34 of the Code of Alabama 1975; with certain modifications; to amend Sections 34-31-21 and 34-31-28, so as to provide further for persons who may be certified without having to

be examined by the board; and to authorize the board to adopt minimum repair and service standards or criteria for its registered contractors; and to provide for misdemeanor penalty for noncompliance.

Also:

S. 50. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Board of Dental Examiners as provided in Sections 34-9-40 through 34-9-47 of the Code of Alabama 1975, and the legislature's concurrence thereof.

Also:

S. 51. Relating to the Alabama Sunset Law; to continue the existence and functioning of the State Oil and Gas Board as provided in Sections 9-17-1 through 9-17-32 of the Code of Alabama 1975; and the legislature's concurrence thereof.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Flowers (With Notice and Proof):

H. 524. Relating to Pike County; to provide for the election of members of the county commission; to adopt new districts; and to repeal all conflicting laws.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 524, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Sasser (With Notice and Proof):

H. 555. To authorize the Dale County Board of Health to fix a schedule of fees for services rendered pursuant to the duties with which the Board is charged and to provide for the approval of such fee schedule by the County Board of Health of Dale County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 555, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Carter (With Notice and Proof):

H. 571. To provide for the filing for record and the preservation of all orders and decrees made and entered by any Judge of the Circuit Court of the 39th Judicial Circuit.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 571, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Sasser (With Notice and Proof):

H. 578. To further authorize and provide for the establishment, maintenance, operation, and financing of a public law library in Dale County, Alabama.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 578, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Starr, Hooper, McKee, Mikell, Buskey (John), and Holmes (With Notice and Proof):

H. 594. Relating to Montgomery County; to establish a Retired Employees' Death Benefit Fund on behalf of the retired members of the Montgomery County Retirement System; provide for claims; provide for funding and provide for beneficiary changes associated with the Death Benefit Fund.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 594, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 524, 555, 571, 578, and 594—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Hooper, McKee, Starr, Buskey (John), Mikell, and Holmes (With Notice and Proof):

H. 538. To authorize the City of Montgomery, Montgomery County, Alabama, to establish an Enterprise Zone in the area of pervasive poverty, unemployment and economic distress and to carry out programs to encourage private investment and to create jobs in such areas, and to authorize agencies

of such city, the county governing body and state and county agencies to carry out similar programs in such Enterprise Zone, including, but not limited to, reduction of tax rates, license rates and fees, improvement of public services and reduction and modification of regulatory requirements within such zone, and to provide other services and to modify other requirements as may be necessary or desirable to qualify for financial assistance to such city or private entities within such zone under any Act of the Congress of the United States heretofore or hereafter enacted.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 538, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Beasley (With Notice and Proof):

H. 597. Relating to Henry County; providing for an expense allowance for the County Superintendent of Education; repealing Act No. 81-262, H. 643 (Acts 1981, p. 343); and providing for its retroactive effect.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 597, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Fuller and Laird (With Notice and Proof):

H. 600. Relating to Chambers County; to require the installation and maintenance of an improved system of indexing documents affecting the title to property and other documents recorded in the office of the Judge of Probate; to provide the collection and disposition of a special indexing fee; and to provide that said system shall constitute official and permanent records in Chambers County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 600, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Rice and Turnham (With Notice and Proof):

H. 622. Relating to Lee County; authorizing the county commission to establish fire districts and to provide fire fighting and fire prevention services for dwellings, commercial structures, field and forest lands through the use of volunteer fire departments in cooperation with the Alabama Forestry Commission; authorizing the county commission to assess the whole or a part of the costs thereof, within a prescribed limit, against said recipients; and prescribing the procedure for levying and collecting such assessments.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 622, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.



Also:

By Reps. Bowling and Drake (With Notice and Proof):

H. 628. To alter, rearrange and extend the boundary lines and corporate limits of the City of Cullman, in Cullman County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 628, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Hammett (With Notice and Proof):

H. 640. Relating to Covington County, exempting rescue squads from any and all county or municipal sales and use taxes.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 640, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Rice and Turnham (With Notice and Proof):

H. 643. Relating to Lee County, to provide further for a pistol permit fee in said county and the disposition and use of the proceeds of said fee, and to specifically repeal Act 972, H. 1407, Regular Session 1969 (Acts 1969, p. 1718), as amended.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 643, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 538, 597, 600, 622, 628, 640, and 643—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 445. Relating to the Alabama Sunset Law; to continue until October 1, 1987, the existence and functioning of the Alabama Surface Mining

Commission as provided in Sections 9-16-70 through 9-16-107, to amend Sections 9-16-73, 9-16-74, 9-16-78, 9-16-85, and 9-16-88, Code of Alabama 1975 so as to provide that the rules and regulations of the commission shall not be more stringent than those promulgated by federal statute, rule or regulation; to create a legislative oversight committee and to provide for the duties, composition, meetings and compensation of members of the committee; to require the director of the commission to have knowledge of state and federal surface mining laws, rules and regulations; to provide for a technical assistant for the commission and to provide for his duties and salary; to require permits and licenses to be issued more promptly; It is further provided that the commission shall be reviewed by the Sunset Committee in the interim between the 1986 and 1987 Regular Legislative Sessions and that said commission shall be terminated effective October 1, 1987, unless a Sunset bill passes at the 1987 Regular Session to continue the commission.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Reps. Carter and Butler:

H. 456. To create the crime of theft by fraudulent leasing or rental of property from a person licensed to lease personal property where the lessee gives a false or fictitious name or address, or where the lessee fails to return the leased property to the place or within the time specified in the rental agreement; to provide for making a demand on the lessee to return the leased property within a specified time, and to provide that a failure to return the leased property within the specified time, after demand, shall constitute prima facie evidence that the leasing or rental of the property was fraudulent, and that lessee intended, knew or expected that he would not perform the terms of the rental agreement at the time it was made; provide that the fraudulent leasing or rental of property having a value of \$100.00 or less shall be a Class A misdemeanor, and if property has a value of \$100.00 or more, the fraudulent leasing or rental shall be a Class C felony, and to repeal Section 8-1-64, Code of Alabama 1975.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 456—to the Committee on Judiciary

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Coleman and Rains:

H. 561. To propose an amendment to the Constitution of Alabama of 1901 relating to Marshall County so as to prohibit annexation of territory within Marshall County by out of county municipalities without a vote of the people of Marshall County.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 561—to the Committee on Constitutional Revision

(The above Bill was read a first time at length as required by the Constitution.)

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 49. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Board of Registration for Foresters as provided in Sections 34-12-1 through 34-12-37 of the Code of Alabama 1975, with certain modifications; to amend Sections 34-12-5, 34-12-6, 34-12-8, 34-12-9, 34-12-30, 34-12-32 and 34-12-36, so as to increase annual license issuance fees; increase examination fees; increase annual notification of renewal license fees; increase reissuance or reinstatement of license fees; rename Alabama chapter the Alabama "Division"; increase per diem allowances for meeting days of board members; and to require bonding of certain officers of the board.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 3. INVITING DR. ALBERT B. SABIN AS THE DEVELOPER OF THE ORAL POLIO VACCINE TO ADDRESS A JOINT SESSION OF THE ALABAMA LEGISLATURE.

Also:

S. J. R. 47. CALLING FOR THE DEATH PENALTY FOR "KING-PINS" IN DRUG TRAFFICKING CASES ON THE FEDERAL LEVEL.

Also:

S. J. R. 85. CALLING UPON THE STATE HIGHWAY DEPARTMENT TO REVIEW AND ANALYZE THE CONSTRUCTION OF "CORRIDOR X" AND TO MAKE RECOMMENDATIONS AS TO THE BEST ROUTE.

Also:

S. J. R. 124. URGING CONGRESS TO TAKE AFFIRMATIVE ACTION TO EXTEND THE FEDERAL REVENUE SHARING PROGRAM AT LEAST THROUGH THE END OF FISCAL YEAR 1987.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Carothers, Mathis, and Beasley:

H. J. R. 259. CONGRATULATING NORTHVIEW HIGH SCHOOL, DOTHAN, ALABAMA, 1985 STATE 6-A FOOTBALL CHAMPIONS.

Also:

By Reps. Cosby, Adams, Albright, Bachus, Beasley, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Crow, Davis, Drake, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Johnson (RG), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Newton, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L), and Zoghby:

H. J. R. 260. COMMENDING THARPE FORRESTER FOR MERITORIOUS SERVICE TO THE STATE OF ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator deGraffenried, the Rules were suspended and the Resolutions, H. J. R.'s 259 and 260, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Resolution:

By Reps. Penry and McMillan:

H. J. R. 135. DESIGNATING THE NATIONAL HISTORIC FORT MORGAN OUTDOOR DRAMA AS THE FIRST OFFICIAL STATE OUTDOOR DRAMA.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 135, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Hettinger, Butler, Grayson, Hall, Albright, Drake, Cosby, Blake, Adams, Bachus, Beasley, Beers, Biddle, Black, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Crow, Davis, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grouby, Hammett, Harper, Harvey, Holley, Holmes, Hooper, Johnson (RG), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Newton, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L), and Zoghby:

H. J. R. 125. HONORING THE LATE JOHN JACKSON SPARKMAN OF HUNTSVILLE, ALABAMA.

Also:

By Reps. Harper and Gaston:

H. J. R. 127. COMMENDING JANICE FREELAND LINDEN ON HER DISTINGUISHED CAREER WITH THE ALABAMA DEPARTMENT OF PENSIONS AND SECURITY.

Also:

By Rep. Harper:

H. J. R. 128. COMMENDING THE GRAND BAY ALL STARS FOR OUTSTANDING ACCOMPLISHMENT.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator deGraffenried, the Rules were suspended and the Resolutions, H. J. R.'s 125, 127, and 128, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Campbell:

H. J. R. 23. SUSTAINING THE SUSPENSION OF A DEPARTMENT OF REVENUE RULE DISAPPROVED BY THE JOINT COMMITTEE ON ADMINISTRATIVE REGULATION REVIEW.

WHEREAS, on November 14, 1985, the Joint Committee on Administrative Regulation Review met, studied the proposed amendment of the Department of Revenue's Rule No. 810-6-1-.125, relating to:

the ascertainment, assessment and collection of the State sales tax on gross receipts arising from the sale of T.V. and radio rights in conjunction with athletic events,

published September 30, 1985, in Volume III, No. 12, of the "Alabama Administrative Monthly," and after consideration, disapproved and suspended the proposed amendment; and

WHEREAS, pursuant to the Alabama Administrative Procedure Act, each member of both Houses of the Legislature has been provided a copy of said proposed amendment; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the disapproval and suspension of the said Department of Revenue's proposed amendment by the Joint Committee on Administrative Regulation Review are hereby sustained.

810-6-1-.125. Amusement, Place of.

(1) The total receipts accruing from the operation of a place of amusement or entertainment are subject to the sales tax, including receipts from hat check service, toilet service, sales of popcorn, candies, drinks, and receipts from advertising, as well as receipts from admissions, except that the federal amusement tax collected as a separate item ~~should~~ shall not be used as a part of the measure of the sales tax.

(2) Places of amusement or entertainment include, but are not limited to, theaters, motion picture shows, auditoriums where lectures and concerts are given, amusement parks, fairgrounds, race tracks, baseball parks, football stadiums, swimming pools, street fairs, dance halls, cabarets, nightclubs, golf courses, skating rinks, art exhibits, and gymnasiums. Places of amusement or entertainment also include all places where the public is charged a fee for admission to see any kind of display or hear any kind of a program or to participate in sports, such as golf, and games of skill, such as billiards.

(3) Receipts from the sale of TV and radio rights in conjunction with athletic events are considered to be gross receipts subject to the tax. The incidence of the tax is the event being performed in the state. Even though the broadcast coverage may extend to areas outside the boundaries of Alabama, the total amount received will be subject to the tax.

(4) If tickets are sold in advance of an athletic event, the tax becomes due when the event subject to the tax has been performed.

(5) With the exception of athletic events conducted by educational institutions, no sales tax is due on receipts accruing from admissions from places of amusement or entertainment conducted by the State of Alabama, a county or city of the State or any instrumentality thereof. (City of Anniston v. State of Alabama, 91 So.2d 211) (Adopted March 9, 1961, amended

**REGULAR SESSION**  
**16th Day**

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November 1, 1963, readopted through APA Code effective October 1, 1982)  
(Section 40-23-2(2))

(Original Author unknown—

Author of amendment—Horace L. Hitt, Chief, Sales and Use Tax Division;  
Alabama Department of Revenue)

Statutory authority §40-23-31

6-1-/50.1

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolution, H. J. R. 23, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Ford:

H. J. R. 158. EXTENDING THE LIFE AND REPORTING DATE OF THE LEGISLATIVE JOINT INTERIM COMMITTEE TO STUDY THE STEEL INDUSTRY.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the life and reporting date of The Legislative Joint Interim Committee To Study The Steel Industry, created by Act 84-133, H. J. R. 3, 1984 Regular Session, are hereby extended to September 30, 1986. As of November 1, 1986, said committee shall be abolished.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator deGraffenried, the Rules were suspended and the Resolution, H. J. R. 158, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Harvey:

H. J. R. 177. CREATING THE JOINT INTERIM COMMITTEE ON THE DISPOSAL OF SCRAP TIRES.

WHEREAS, the Alabama Legislature is concerned about the health and environmental problems related to the disposal of scrap tires which requires

further study in depth and these require positive recommendations to the Legislature; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in order to further suggest to the state legislators sound, workable, financially feasible and economically possible methods of disposing scrap tires by the most healthful and environmentally safe procedure there is hereby organized a Joint Interim Committee on the Disposal of Scrap Tires, to be composed of eight (8) members of the Legislature: four (4) members from the House to be appointed by the Speaker of the House, and four (4) members from the Senate to be appointed by the Lieutenant Governor. In addition to the legislative members, the following nonvoting members, from the public, shall be: The president, the vice-president and the executive director of the Alabama Tire Dealers' Association, and a total of three tire dealers, with one dealer from each the central, southern and northern regions, all of whom shall be selected by the executive director of the Alabama Tire Dealers' Association. These nonvoting members shall serve without pay and shall give such expertise and perform such tasks as may be assigned by the full committee. It shall be the duty and function of the committee to analyze the present status of disposal of scrap tires and to make recommendations for legislative revision which it considers necessary or desirable to enable the state to more adequately meet and furnish the services and requirements of the citizens in a safe, healthful and environmentally sound manner.

In reviewing the status and the pertinent laws in Alabama, the committee shall consider and make studies of relative hazardous waste disposal laws and regulations at both the state and federal levels, together with associated problems.

RESOLVED FURTHER, That the committee shall elect a chairman and cochairman from among the voting members and shall elect officers from among the membership. The committee shall provide for their own rules of procedure to conduct its business and shall meet at the call of the chair.

Each legislative member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends the meeting of the committee, which shall be paid out of the funds appropriated to the use of the Legislature on warrants drawn on the State Comptroller upon requisition signed by the committee's chairman. Provided, that members shall not receive additional legislative compensation or per diem when the Legislature is in session. The chairman of the committee shall certify the sums due to the clerk or other employees of the committee. The total amount of funds expended by the committee in carrying out the study shall not exceed the sum of Seven Thousand Five Hundred Dollars (\$7,500).

BE IT FURTHER RESOLVED, That the committee shall report its findings and recommendations by the fifth legislative day of the 1987 Regular Session at which time the committee shall stand discharged of any further duties and responsibilities and shall be dissolved.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 177, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.



**MESSAGE FROM THE HOUSE**

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate:

S. 55. Relating to the Alabama Sunset Law; to continue the existence and functioning of the State Licensing Board of General Contractors as provided in Sections 34-8-1 through 34-8-27 of the Code of Alabama 1975; with certain modifications; to amend Sections 34-8-2 and 34-8-24, so as to provide that application fees for licenses will be nonrefundable and to provide further for meetings of the board.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator Foshee, the Senate non-concurred in the following House amendment to the Bill, S. B. 55, the title of which is set out in the foregoing Message from the House, to-wit:

**HOUSE AMENDMENT TO S. B. 55**

On line 27, page 4, after the word "quorum" add the following:

"Any meetings held outside the City of Montgomery shall be advertised once a week for two successive weeks in a newspaper of general circulation in the city of Montgomery prior to said meeting."

and requested a Committee on Conference.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Cooley	Ellis	Sanders
Aldridge	Corbett	Foshee	Smith (B)
Bailey	deGraffenried	Goodwin	Smith (J)
Bedsole	Denton	Horn	Strong
Bennett	Dial	Langford	Teague
Cabaniss	Dixon		

—21

*Nays:* —0

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Senators Barron, deGraffenried, and Foshee.

**REPORT OF  
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills, respectively, and finds same correctly engrossed, to-wit:

S. 235. To provide for the foster children of the state of Alabama an annual school clothing and supplies allowance.

Also:

S. 269. To authorize any county commission except counties with a population over 200,000 to establish the office of supernumerary county commissioner; to prescribe the qualifications and the duties of such officer; to provide notice to the public for the intention thereof; and to prescribe the benefits of such officer.

Also:

S. 214. Relating to the acquisition and/or transportation of donor organs retrieved in Alabama; to state the legislative intent; to define the terms chairman, person, quality assurance, organ and service; to provide that the chairman is to establish policies, procedures and standards and certify compliance with the established quality assurance standards of persons engaging in organ acquisition, and/or transportation, of organs retrieved in Alabama; but Chairman shall not certify a person until that person possesses and demonstrates to the Chairman the necessary knowledge and technical skills to comply with the established standards of quality assurance; after Chairman establishes and promulgates initial standards of quality assurance, Chairman is to circulate proposed updating of quality assurance standards to institutions then performing organ transplantation, but Chairman shall still have final and sole decision to establish and promulgate whatever appropriate for updating standards of quality assurance; to provide that persons providing any service pertaining to the acquisition and/or transportation of organs retrieved in Alabama shall strictly adhere to and follow established quality assurance standards; to provide for sanctions for persons providing services in violation of the established policies and procedures and standards of the Chairman for quality assurance in that they shall not receive reimbursement for such services from programs administered by the State of Alabama, and that Chairman will recommend to other reimbursing agencies that reimbursement be denied; to provide for immunity from civil damages or criminal prosecution to any person who, in good faith, follows the policies and procedures and standards established by the Chairman, and complies with the provisions of the Alabama Uniform Anatomical Gift Act; and to provide the Article is cumulative and to be construed in *pari materia* with other laws relating to the public health and anatomical gifts and when standards of quality assurance are adopted by the federal government, Alabama standards shall be consistent with federal regulations.

CHARLES BISHOP,  
Chairperson.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Albright, White (L), Adams, Bachus, Beasley, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Drake, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Johnson (RG), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell,

McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Newton, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), and Zoghby:

H. J. R. 243. MOURNING THE DEATH OF VELMA SANDERS HALL OF GURLEY, ALABAMA.

Also:

By Reps. Rogers and Davis:

H. J. R. 244. SUPPORTING ALABAMA'S ALL-AMERICAN BOWL GAME.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator deGraffenried, the Rules were suspended and the Resolutions, H. J. R. 's 243 and 244, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

### REPORTS OF COMMITTEES

Senator Dial, Chairperson of the Standing Committee on Military Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Dixon, Foshee, Holmes, Drinkard, Bedsole, Covington, Cooley, Cabaniss, Ellis, Hand, and Bennett:

S. 409. To amend Section 31-5-3, Code of Alabama 1975, which provides for the state board of veterans' affairs, so as to include the American Ex-Prisoners of War, Incorporated, on such board.

By Senator Dial:

S. 478. To amend section 31-2-81 of the Code of Alabama 1975, so as to exempt national guard post exchanges from the payment of operating permit fees.

By Senator Teague:

S. 425. Appropriating a certain amount of money during the 1985-86 fiscal year from the state general fund to the National Guard Association of Alabama for the establishment of an Alabama National Guard Museum in a certain location.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Ellis (With Notice and Proof):

S. 511. Relating to the Town of Vincent in Shelby County, Alabama; prescribing certain regulations for the management and investment of certain

proceeds from the sale of said town's gas distribution system in the event the town gas board places such proceeds in a certain trust fund and prescribing penalties for misuse of such proceeds by appointed or elected officers in such town.

By Senator Denton (With Notice and Proof):

S. 515. Relating to Colbert County and its municipalities for the purpose of said county and municipalities joining with Lauderdale County and its municipalities, for the purpose of forming a Shoals Industrial Development Authority for promoting industry and trade and the development of said counties and cities; to provide for the organization, powers, functions, duties and personnel of such authority, and for the payment of expenses of the authority and for the compensation of its employees.

By Senator Cooley (With Notice and Proof):

S. 517. To alter, rearrange and extend the boundary lines and corporate limits of the City of Cullman, in Cullman County.

By Senator Teague (With Notice and Proof):

S. 518. Relating to Talladega County; providing further for banking business within said county; authorizing any bank which moves its principal offices from the county, into another county, to continue operations in Talladega County as a branch so as to not cause a hardship to its customers.

## RESOLUTIONS

Senator Aldridge offered the following Senate Joint Resolution, to-wit:

S. J. R. 186. TO EXTEND THE REPORTING DATE OF THE TASK FORCE ON CHILD ABUSE AND NEGLECT.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the reporting date of the Task Force on Child Abuse and Neglect created by Act 84-465, S. J. R. 185 of the 1984 Regular Session, (Acts 1984, p. 1079), is hereby extended to the 25th legislative day of the 1986 Regular Session. The Task Force shall receive no additional appropriation, but shall continue to be entitled to such appropriations as already provided by law.

On motion of Senator Aldridge, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 187. COMMENDING MORTON ALLEN BANKS OF HUNTSVILLE, ALABAMA.

Also:

S. R. 188. COMMENDING TAYLOR WINSTON HAMILTON, PROMINENT HUNTSVILLE DENTIST.

Also:

S. R. 189. MOURNING THE DEATH OF THOMAS E. ROGERS OF ATHENS, ALABAMA.

Also:

S. R. 190. COMMENDING RICHARD EUGENE MILAM OF MADISON, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Also:

S. R. 191. COMMENDING EARL CRAWFORD JACOBY OF HUNTSVILLE, ALABAMA.

Which were filed.

Senator Amari offered the following Senate Resolution, to-wit:

S. R. 192. COMMENDING MRS. HELEN BLOCKER OF BIRMINGHAM, ALABAMA, "HELEN BLOCKER DAY."

Which was filed.

Senators Figures, Bedsole, and Menton offered the following Senate Joint Resolution, to-wit:

S. J. R. 193. COMMENDING THE LEFLORE HIGH SCHOOL RATTTLERS AND ITS COACH, JOHNNY SHELWOOD, OF MOBILE, ALABAMA FOR WINNING THE ALABAMA HIGH SCHOOL BASKETBALL CHAMPIONSHIP.

WHEREAS, the LeFlore Rattlers defeated the Coffee Yellowjackets by a score of 53-49 in Championship Tournament play in Tuscaloosa, Alabama on March 1, 1986; and

WHEREAS, the LeFlore team from Mobile, Alabama is the first Mobile team to win a state basketball championship since 1956 (30 years); and

WHEREAS, the Rattlers from Mobile finished second in the State Tournament last year and first this year, attributing their excellence to the coaching of Johnny Shelwood; and

WHEREAS, the LeFlore team was ranked #1 in Alabama in Class 6-A throughout the 1985-86 regular season, having such great players as: Leonard Andrews, Joseph Ankum, Byrle Colley (who has also served as a Senate Page), Randy Curry, Aubrey Edwards, Ronald Jackson, Eric Knight, Chrosin Mauldin, John Mitchell, Kenneth Mixon, Eric Moore, Warren Russell, and Anthony Shamburger; and

WHEREAS, the LeFlore High School Rattlers finished the season with a record of 28 wins and only 2 losses; and

WHEREAS, the Legislature takes note of the fact that LeFlore High School is named after a former House member, the late J. L. LeFlore, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend to the LeFlore High School Rattlers and their coach, John Shelwood, our congratulations upon being crowned the Alabama High School Basketball Champions of 1986.

BE IT FURTHER RESOLVED, That sufficient copies of this resolution be prepared to present to each player and the coach. Also a copy prepared for the principal of LeFlore High School so that it may be displayed in a permanent place in the school.

On motion of Senator Figures, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Cabaniss offered the following Senate Resolution, to-wit:

S. R. 194. DIRECTING THE SENATE JUDICIARY COMMITTEE TO SEND SENATE BILLS 190 AND 395, REGULAR SESSION, 1986, REVISING THE STATE ETHICS LAWS, TO THE SENATE FLOOR FOR DEBATE.

Which was adopted.

### BILLS ON THIRD READING

#### THE BILL:

S. 336. To amend section 12-17-213, Code of Alabama 1975, which section relates to minimum service time required to qualify for supernumerary district attorney status, so as to provide further for the said minimum service time requirements.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 8; Nays 4.

Abstaining 1.

#### Yeas:

Senators:	deGraffenried	Goodwin	Sanders	
Aldridge	Ellis	Mitchem	Teague	
Bennett				—8

#### Nays:

Senators:	Corbett	Little	Smith (B)	
Bailey				—4

*Abstaining:* Senator Strong —1

(The President and Presiding Officer of the Senate declared a quorum present but not voting.)

### REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 172. CREATING THE ALABAMA ENVIRONMENTAL PLANNING COUNCIL.

On motion of Senator Aldridge, the Resolution was then adopted by the Senate.

### RESOLUTION

Senators deGraffenried, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Horn,

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Langford, Little, Menton, Mitchem, Parsons, Sanders, Smith (B), Smith (J), Strong, and Teague offered the following Senate Resolution, to-wit:

**S. R. 195. COMMENDING THE "ALABAMA CHORAL EXPLOSION."**

Which was filed.

**MOTION TO ADJOURN**

Senator Parsons requested and received permission to suspend the Rules in order to offer the following Motion in Writing, to-wit:

**MOTION IN WRITING**

I move that when the Senate adjourns today, Tuesday, March 4, 1986, it adjourn to meet again at 12:01 a.m. on Wednesday, March 5, 1986.

On motion of Senator Parsons, the Motion in Writing was adopted by the Senate.

**BUDGET ISOLATION RESOLUTION**

Senator Strong, B. I. R., S. B. 184, adopted.

Yeas 17; Nays 1.

*Yeas:*

Senators:	deGraffenried	Goodwin	Sanders	
Aldridge	Dial	Little	Smith (B)	
Bedsole	Dixon	Menton	Strong	
Corbett	Drinkard	Mitchem	Teague	
Covington	Ellis			—17

*Nay:* Senator Bailey —1

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

**S. 184.** To require the Department of Pensions and Security to charge a \$1,000.00 (One Thousand Dollar) fee to be assessed as costs against the parties for investigation services performed in any cases involving adoption. This fee shall not apply to investigation services for cases in which a child was placed for adoption by the Department of Pensions and Security.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Mitchem	
Aldridge	Dial	Hand	Sanders	
Barron	Dixon	Holmes	Smith (B)	
Bedsole	Drinkard	Langford	Strong	
Corbett	Ellis	Little	Teague	
Covington	Foshee	Menton		22

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Strong, B. I. R., S. B. 136, adopted.

Yeas 23; Nays 0.

*Yeas:*

Senators:	Covington	Goodwin	Menton	
Aldridge	deGraffenried	Hand	Mitchem	
Bailey	Dial	Holmes	Sanders	
Bedsole	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Langford	Strong	
Corbett	Foshee	Little	Teague	—23

*Nays:* —0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 136. To create the Mowa Choctaw Housing Authority; provide for the terms of the members and officers of the Authority; and provide for the powers of the Authority.

was taken up.

The Standing Committee on Industrial Expansion, Economic Growth, and Jobs reported the following amendment to the Bill, S. B. 136, to-wit:

**AMENDMENT TO S. B. 136**

Amend Senate Bill No. 136, Page 1, Line 30, by striking out after the word "members," the remainder of Line 30 and on Line 31 to the comma after the word "Indians,".

And further amend Senate Bill No. 136, on Page 5, Line 28, by striking out after the word "will," the remainder of Line 28, Line 29, and on Line 30 to the comma after the word "shall,".

Which was adopted.

Yeas 23; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Mitchem	
Aldridge	Covington	Hand	Parsons	
Bailey	deGraffenried	Holmes	Sanders	
Barron	Ellis	Langford	Smith (B)	
Bedsole	Figures	Little	Strong	
Cabaniss	Foshee	Menton	Teague	—23

*Nays:* —0

And said Bill, S. B. 136, as amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.



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Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Hand	Mitchem	
Aldridge	Dial	Holmes	Parsons	
Bailey	Drinkard	Horn	Sanders	
Barron	Ellis	Langford	Smith (B)	
Bedsole	Figures	Little	Strong	
Cabaniss	Foshee	Menton	Teague	
Corbett	Goodwin			—25
<i>Nays:</i>				—0

**MESSAGE FROM THE HOUSE**

Mr. President Pro Tempore:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 125. HONORING THE LATE JOHN JACKSON SPARKMAN OF HUNTSVILLE, ALABAMA.

Also:

H. J. R. 127. COMMENDING JANICE FREELAND LINDEN ON HER DISTINGUISHED CAREER WITH THE ALABAMA DEPARTMENT OF PENSIONS AND SECURITY.

Also:

H. J. R. 128. COMMENDING THE GRAND BAY ALL STARS FOR OUTSTANDING ACCOMPLISHMENT.

Also:

H. J. R. 158. EXTENDING THE LIFE AND REPORTING DATE OF THE LEGISLATIVE JOINT INTERIM COMMITTEE TO STUDY THE STEEL INDUSTRY.

Also:

H. J. R. 243. MOURNING THE DEATH OF VELMA SANDERS HALL OF GURLEY, ALABAMA.

Also:

H. J. R. 244. SUPPORTING ALABAMA'S ALL-AMERICAN BOWL GAME.

Also:

H. J. R. 259. CONGRATULATING NORTHVIEW HIGH SCHOOL, DOTHAN, ALABAMA, 1985 STATE 6-A FOOTBALL CHAMPIONS.

Also:

H. J. R. 260. COMMENDING THARPE FORRESTER FOR MERITORIOUS SERVICE TO THE STATE OF ALABAMA.

**SIGNING OF RESOLUTIONS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds

vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

### BUDGET ISOLATION RESOLUTION

Senator Parsons, B. I. R., S. B. 296, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Horn	Parsons	
Aldridge	deGraffenried	Langford	Sanders	
Bailey	Ellis	Little	Smith (B)	
Barron	Foshee	Menton	Teague	
Bedsole	Holmes	Mitchem		—18

*Nays:* —0

### BILLS ON THIRD READING RESUMED

#### THE BILL:

S. 296. To prohibit persons from willfully harassing or interfering with persons lawfully hunting wild game in this state; and to prescribe penalties.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Parsons	
Aldridge	Dial	Holmes	Smith (B)	
Barron	Drinkard	Langford	Smith (J)	
Bedsole	Ellis	Little	Strong	
Cabaniss	Foshee	Menton	Teague	
Corbett				—20

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

Senator Corbett, B. I. R., S. B. 106, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Menton	
Bedsole	Denton	Hand	Sanders	
Cabaniss	Dial	Hilliard	Smith (B)	
Corbett	Drinkard	Langford	Teague	
Covington	Foshee	Little		—18

*Nays:* —0

**REPORT OF COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. 48. Relating to the Alabama Sunset Law; to continue the existence and functioning of the board of heating and air conditioning contractors as provided in Sections 34-31-18 through 34-31-34 of the Code of Alabama 1975; with certain modifications; to amend Sections 34-31-21 and 34-31-28, so as to provide further for persons who may be certified without having to be examined by the board; and to authorize the board to adopt minimum repair and service standards or criteria for its registered contractors; and to provide for misdemeanor penalty for noncompliance.

Also:

S. 49. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Board of Registration for Foresters as provided in Sections 34-12-1 through 34-12-37 of the Code of Alabama 1975, with certain modifications; to amend Sections 34-12-5, 34-12-6, 34-12-8, 34-12-9, 34-12-30, 34-12-32 and 34-12-36, so as to increase annual license issuance fees; increase examination fees; increase annual notification of renewal license fees; increase reissuance or reinstatement of license fees; rename Alabama chapter the Alabama "Division"; increase per diem allowances for meeting days of board members; and to require bonding of certain officers of the board.

Also:

S. 50. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Board of Dental Examiners as provided in Sections 34-9-40 through 34-9-47 of the Code of Alabama 1975, and the legislature's concurrence thereof.

Also:

S. 51. Relating to the Alabama Sunset Law; to continue the existence and functioning of the State Oil and Gas Board as provided in Sections 9-17-1 through 9-17-32 of the Code of Alabama 1975; and the legislature's concurrence thereof.

Also:

S. 56. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Radiation Control Agency and the Radiation Advisory Board as provided in Sections 22-14-1 through 22-14-35 of the Code of Alabama 1975; and the legislature's concurrence thereof.

Also:

S. 60. Relating to Cullman County; to amend further Act No. 711, H. 1109, Regular Session 1976 (Acts 1976, p. 991), as amended by Act No. 81-1037, H. 38, Second Special Session 1981 (Special Session Acts 1981, p. 237), and Act No. 85-886, H. 13, Regular Session 1985, which act charges a court cost in criminal cases to be remitted to the juvenile probation fund and the county sheriff's office, so as to charge an additional \$3.00 court cost

on each criminal case in the county, the proceeds to be earmarked for juvenile programs, and expenses and subsistence for the juvenile probation officer's office, to specifically repeal Act 85-886, H. 13, 1985 Regular Session, and to provide that this act shall be retroactively effective to September 19, 1985.

Also:

S. 63. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of St. Florian in Lauderdale County.

Also:

S. 185. Relating to Baldwin County; to alter, rearrange and extend the boundary lines and corporate limits of the municipality of Gulf Shores, in Baldwin County; to provide for a referendum election of the qualified electors who reside within the territory proposed to be brought within the municipal limits of Gulf Shores.

Also:

S. 445. Relating to the Alabama Sunset Law; to continue until October 1, 1987, the existence and functioning of the Alabama Surface Mining Commission as provided in Sections 9-16-70 through 9-16-107, to amend Sections 9-16-73, 9-16-74, 9-16-78, 9-16-85, and 9-16-88, Code of Alabama 1975 so as to provide that the rules and regulations of the commission shall not be more stringent than those promulgated by federal statute, rule or regulation; to create a legislative oversight committee and to provide for the duties, composition, meetings and compensation of members of the committee; to require the director of the commission to have knowledge of state and federal surface mining laws, rules and regulations; to provide for a technical assistant for the commission and to provide for his duties and salary; to require permits and licenses to be issued more promptly; It is further provided that the commission shall be reviewed by the Sunset Committee in the interim between the 1986 and 1987 Regular Legislative Sessions and that said commission shall be terminated effective October 1, 1987, unless a Sunset bill passes at the 1987 Regular Session to continue the commission.

Also:

S. J. R. 3. INVITING DR. ALBERT B. SABIN AS THE DEVELOPER OF THE ORAL POLIO VACCINE TO ADDRESS A JOINT SESSION OF THE ALABAMA LEGISLATURE.

Also:

S. J. R. 85. CALLING UPON THE STATE HIGHWAY DEPARTMENT TO REVIEW AND ANALYZE THE CONSTRUCTION OF "CORRIDOR X" AND TO MAKE RECOMMENDATIONS AS TO THE BEST ROUTE.

Also:

S. J. R. 124. URGING CONGRESS TO TAKE AFFIRMATIVE ACTION TO EXTEND THE FEDERAL REVENUE SHARING PROGRAM AT LEAST THROUGH THE END OF FISCAL YEAR 1987.

Also:

S. J. R. 47. CALLING FOR THE DEATH PENALTY FOR "KING-PINS" IN DRUG TRAFFICKING CASES ON THE FEDERAL LEVEL.

CHARLES BISHOP,  
Chairperson.

**SIGNING OF BILLS AND RESOLUTIONS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 106. To require the Department of Pensions and Security to charge a fee of \$20.00 (Twenty Dollars) per hour to be assessed as costs against the parties for investigation services performed in any cases involving divorce or divorce modifications.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Abstaining 1.

**Yeas:**

<b>Senators:</b>	Covington	Goodwin	Menton	
Bailey	deGraffenried	Hand	Smith (B)	
Bedsole	Denton	Hilliard	Strong	
Cabaniss	Drinkard	Langford	Teague	
Corbett	Foshee	Little		—18

**Nays:** —0

**Abstaining:** Senator Dial —1

**BUDGET ISOLATION RESOLUTION**

Senator Corbett, B. I. R., S. B. 341, adopted.

Yeas 18; Nays 0.

**Yeas:**

<b>Senators:</b>	Covington	Hand	Sanders	
Aldridge	deGraffenried	Hilliard	Smith (B)	
Bedsole	Denton	Langford	Smith (J)	
Cabaniss	Drinkard	Little	Strong	
Corbett	Goodwin	Menton		—18

**Nays:** —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 341. Changing the name of the department of pensions and securities to the "Alabama state department of human resources" and providing for the efficient replacement of certain supplies used by such department.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Corbett	Hand	Mitchem	
Aldridge	deGraffenried	Holmes	Sanders	
Bedsole	Denton	Langford	Smith (B)	
Bennett	Drinkard	Little	Smith (J)	
Cabaniss	Goodwin	Menton	Strong	—19

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

Senator Bedsole, B. I. R., S. B. 29, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Hand	Sanders	
Aldridge	deGraffenried	Holmes	Smith (B)	
Bailey	Drinkard	Langford	Smith (J)	
Bedsole	Ellis	Little	Strong	
Cabaniss	Goodwin	Menton		—18

*Nays:* —0

### BILLS ON THIRD READING RESUMED

#### THE BILL:

S. 29. To establish the Timber Theft Equipment Condemnation law of the State of Alabama and to further set forth a procedure whereby vehicles and equipment used in connection with timber theft may be condemned by appropriate authorities and the same sold or awarded by court order to the State Forester for use or resale in enforcement of theft laws of the State of Alabama wherein timber or lumber are the stolen items.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	deGraffenried	Hand	Sanders	
Bailey	Dixon	Holmes	Smith (B)	
Bedsole	Drinkard	Langford	Smith (J)	
Cabaniss	Ellis	Little	Strong	
Corbett	Goodwin	Menton		—18

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

Senator Smith (J), B. I. R., S. B. 98, adopted.

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Yeas 18; Nays 0.

*Yeas:*

Senators:	deGraffenried	Hand	Mitchem	
Bailey	Dixon	Holmes	Sanders	
Bedsole	Drinkard	Langford	Smith (B)	
Cabaniss	Foshee	Little	Smith (J)	
Covington	Goodwin	Menton		—18

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 98. To amend Section 22-50-22, Code of Alabama 1975, which exempts the superintendent of, or a physician of, the mental health board from being a witness in certain cases, so as to permit depositions to be taken by the plaintiffs, defendants or the state or the superintendent or any physician of a state mental health facility or hospital in criminal and civil proceedings, upon proper notice.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Menton	
Aldridge	Dial	Hand	Parsons	
Bailey	Drinkard	Holmes	Smith (B)	
Cabaniss	Ellis	Langford	Smith (J)	
Corbett	Foshee	Little		—18

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Smith (J), B. I. R., S. B. 97, adopted.

Yeas 23; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Menton	
Aldridge	Covington	Hand	Mitchem	
Bailey	Denton	Holmes	Parsons	
Barron	Dixon	Horn	Smith (B)	
Bedsole	Drinkard	Langford	Smith (J)	
Cabaniss	Foshee	Little	Teague	—23

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 97. To amend Section 13A-10-30, which defines certain terms in the criminal code, so as to further define the term "escape"; provides that escape

while on work release shall constitute a felony; and repeals Sections 14-8-42 and 14-8-67, Code of Alabama 1975.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

*Yeas:*

Senators:	Covington	Goodwin	Menton	
Aldridge	Denton	Hand	Mitchem	
Bailey	Dixon	Holmes	Parsons	
Barron	Drinkard	Horn	Smith (B)	
Bedsole	Ellis	Langford	Smith (J)	
Cabaniss	Foshee	Little	Teague	
Corbett				—24

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

Senator Cabaniss, B. I. R., S. B. 354, adopted.

Yeas 17; Nays 1.

*Yeas:*

Senators:	Dixon	Hand	Parsons	
Aldridge	Drinkard	Holmes	Smith (B)	
Bailey	Ellis	Little	Smith (J)	
Barron	Foshee	Mitchem	Teague	
Cabaniss	Goodwin			—17

*Nay:* Senator Corbett —1

### UNFINISHED BUSINESS

#### BILLS ON THIRD READING RESUMED

The Senate proceeded to the Unfinished Business for today, which was the Bill:

S. 170. To require all state entities and political sub-divisions thereof to purchase American made goods and to provide that contracts in violation are void.

and pending Parsons substitute for the Committee substitute, which said substitutes are set out in the Journal of the Senate for the Fifteenth Legislative Day, was taken up.

### REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, and finds same correctly engrossed, to-wit:



S. 136. To create the Mowa Choctaw Housing Authority; provide for the terms of the members and officers of the Authority; and provide for the powers of the Authority.

CHARLES BISHOP,  
Chairperson.

**FURTHER CONSIDERATION OF S. B. 170**

The Senate proceeded to further consideration of the Bill, S. B. 170. The question was on the Parsons substitute for the Committee substitute for S. B. 170.

On motion of Senator Parsons, the Parsons substitute for the Committee substitute was adopted.

Yeas 23; Nays 5.

*Yeas:*

Senators:	Covington	Goodwin	Mitchem	
Aldridge	deGraffenried	Hilliard	Parsons	
Amari	Denton	Holmes	Smith (B)	
Bailey	Drinkard	Horn	Smith (J)	
Barron	Ellis	Langford	Strong	
Corbett	Foshee	Little	Teague	—23

*Nays:*

Senators:	Cabaniss	Dixon	Hand	
Bedsole	Dial			—5

Senator Holmes offered the following substitute for the Committee substitute, as amended, for the Bill, S. B. 170, to-wit:

**SUBSTITUTE FOR COMMITTEE SUBSTITUTE,  
AS AMENDED, FOR S. B. 170**

**A BILL  
TO BE ENTITLED  
AN ACT**

To require all state entities and political subdivisions thereof to purchase American made goods and to give preference to Alabama commodities in such purchases.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. All state departments, agencies, institutions, entities, and political subdivisions thereof shall purchase American made goods if such goods are available, taking into consideration the qualities of the commodities proposed to be supplied, their conformity with specifications, the purposes for which required, the terms of delivery, transportation charges and the dates of delivery, and provided there is no substantial sacrifice or loss in price or quality as determined by the contracting agency, institution, entity or political subdivision of the state.

Section 2. All state departments, agencies, institutions, entities and political subdivisions thereof shall purchase commodities produced in Alabama or sold by Alabama persons, firms or corporations if such commodities

are available taking into consideration the qualities of the commodities proposed to be supplied, their conformity with specifications, the purposes for which required, the terms of delivery, transportation charges and the dates of delivery, and provided there is no substantial sacrifice or loss in price or quality as determined by the contracting agency, institution, entity or political subdivision of the state.

Section 3. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Senator Parsons moved that said substitute be laid on the table, which resulted in a tie vote.

Yeas 16; Nays 16.

*Yeas:*

Senators:	Covington	Foshee	Little	
Aldridge	Denton	Hilliard	Parsons	
Amari	Drinkard	Horn	Sanders	
Bishop	Figures	Langford	Teague	
Corbett				—16

*Nays:*

Senators:	deGraffenried	Goodwin	Mitchem	
Bailey	Dial	Hand	Smith (B)	
Barron	Dixon	Holmes	Smith (J)	
Bedsole	Ellis	Menton	Strong	
Cabaniss				—16

The President and Presiding Officer of the Senate voted "Aye"; therefore, the Holmes substitute for the Committee substitute, as amended, was laid on the table.

Senator Hand offered the following amendment to the Committee substitute, as amended, for the Bill, S. B. 170, to-wit:

#### **AMENDMENT TO COMMITTEE SUBSTITUTE, AS AMENDED, FOR S. B. 170**

Amend the Substitute for S. B. 170 as last substituted on page 2 line 25, by deleting Section 5 in its entirety and inserting in lieu thereof a new Section 5 as follows:

"Section 5. The products sold by any corporation or company with a manufacturing, fabrication, assembly or distribution facility or a dealership in Alabama that employs 50 or more employees in Alabama shall be exempt from this statute."

and renumbering remaining sections.

#### **MOTION IN WRITING TO ADJOURN RECONSIDERED**

On motion of Senator Teague, the Senate reconsidered the vote by which the Motion in Writing to adjourn was adopted.

On motion of Senator Teague, the Motion in Writing was laid on the table.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Johnson (RG) and Preuitt (With Notice and Proof):

H. 661. Relating to Talladega County; providing further for banking business within said county; authorizing any bank which moves its principal offices from the county, into another county, to continue operations in Talladega County as a branch so as to not cause a hardship to its customers.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 661, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 661—to the Committee on Local Legislation No. 1

### REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bills and Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. B. 48

S. B. 60

S. B. 49

S. B. 63

S. B. 50

S. B. 185

S. B. 51

S. B. 445

S. B. 56

S. J. R. 3

S. J. R. 85

S. J. R. 47

S. J. R. 124

Delivered to the Governor, March 4, 1986, at 5:10 P.M.

McDOWELL LEE,  
Secretary of Senate.**SECRETARY'S REPORT**

The foregoing report of the Secretary was read and ordered spread upon the Journal.

**ADJOURNMENT**

At 7 o'clock P.M., on motion of Senator Teague, pending further consideration of S. B. 170, as amended, the Senate adjourned until Wednesday, March 5, 1986, at 11 o'clock A.M.

## **SEVENTEENTH LEGISLATIVE DAY**

**WEDNESDAY, MARCH 5, 1986**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

### **PRAYER**

The Session was opened with prayer by Doctor L. Dale Huff, Pastor, First Baptist Church, Montgomery, Alabama.

### **PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Kimberly Sexson, Alabama Christian Academy, Montgomery, Alabama.

### **ROLL CALL**

Present:

Senators:	Cabaniss	Ellis	Little
Aldridge	Cooley	Figures	Menton
Amari	Corbett	Foshee	Mitchem
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hand	Sanders
Bedford	Denton	Hilliard	Smith (B)
Bedsole	Dial	Holmes	Smith (J)
Bennett	Dixon	Horn	Strong
Bishop	Drinkard	Langford	Teague

—35

### **JOURNAL**

On motion of Senator Teague, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

### **REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Sixteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

### **COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Sixteenth Legislative Day was approved by the Senate.

### **MOTION TO ADJOURN**

Senator Teague moved that when the Senate adjourns today, it adjourn to meet again on Thursday, March 6, 1986, at 12:01 A. M., which motion was adopted.

**INTRODUCTION OF BILLS**

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Bedford (With Notice and Proof):

S. 551. Relating to Franklin County; to create a motor vehicle license division within the tax assessor's office for the issuance of motor vehicle licenses; to provide for a certain computerized branch office at Red Bay, Alabama; to provide certain duties for the division; to provide a procedure for handling cases involving invalid personal checks given for licenses and the voiding of such licenses; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and costs pursuant to such system of renewal of motor vehicle licenses by mail; to provide that such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; to provide for the issuance of motor vehicle licenses by the tax assessor's office and to transfer certain duties now performed by the probate judge and tax collector to said tax assessor.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 551, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Barron (With Notice and Proof):

S. 552. Relating to DeKalb County, repealing Act No. 449, S. 589, 1973 Regular Session, which provides that house trailers must have identification tags.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 552, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senators Strong and Bedsole:

S. 553. To provide for the state to supply the milk substitute formula Lofenalac to all children who have the disorder Phenylketonuria; and to authorize certain expenditures to carry out the purposes of this act.

Committee on Health and Welfare.

By Senator Hand (With Notice and Proof):

S. 554. To provide for the filing for record and the preservation of all orders and decrees made and entered by any Judge of the Circuit Court of the 28th Judicial Circuit.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 554, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

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By Senators Amari, Bennett, and Horn:

S. 555. Relating to retail table wine licenses; to amend the Alcoholic Beverage Licensing Code, Chapter 3A, Title 28, Code of Alabama 1975, by amending §§ 28-3A-14 and 28-3A-15, Code of Alabama 1975, to authorize retail table wine licensees to deliver table wine in unopened original containers to the customer's premises, and by amending § 28-3A-21 to fix an additional license fee of \$50.00 for the delivery privilege, and by amending §§ 28-3A-14 and 28-3A-15, Code of Alabama 1975, to conform to the statewide effect of the Alabama Table Wine Act.

Committee on Small Business.

By Senator Smith (J) (With Notice and Proof):

S. 556. Relating to Limestone County; to provide that any municipality whose corporate limits or boundaries include lands lying outside of Limestone County, must, in addition to all other requirements of law, obtain the consent of the Limestone County Commission before annexation of lands lying in Limestone County.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 556, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senators Aldridge, Corbett, and Cooley:

S. 557. To provide for a minimum salary for all police officers of this state and provide for enforcement of the provisions of this act.

Committee on Governmental Affairs.

By Senator Aldridge:

S. 558. To amend Section 15-22-2 of the Code of Alabama 1975 which relates to the contributions by parolees and probationers towards the cost of supervision and rehabilitation so as to increase the required contribution amount that must be made by parolees and probationers with means of income.

Committee on Governmental Affairs.

By Senator Dial:

S. 559. To amend Section 11-41-8, Code of Alabama, 1975, as amended, so as to validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama which might be invalid because of any irregularity in the procedure for incorporation.

Committee on Governmental Affairs.

By Senator Dial:

S. 560. To amend section 36-27-42, Code of Alabama 1975, relating to credit for prior service for certain members of the employees' retirement

system who were members of the system on October 1, 1974, so as to reopen said system to certain employees who were in service on October 1, 1975.

Committee on Finance and Taxation.

### BUDGET ISOLATION RESOLUTIONS

On motion of Senator Bailey, the Rules were suspended and the B. I. R., H. B. 466, was adopted by the Senate.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Mitchem	
Aldridge	Cooley	Hand	Parsons	
Amari	Denton	Holmes	Smith (B)	
Bailey	Dial	Horn	Smith (J)	
Barron	Dixon	Little	Strong	
Bedsole	Ellis	Menton	Teague	
Bennett	Figures			—25

*Nays:*

—0

On motion of Senator Bedford, the Rules were suspended and the B. I. R., H. B. 400, was adopted by the Senate.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Menton	
Aldridge	Cooley	Hand	Mitchem	
Amari	Denton	Holmes	Parsons	
Barron	Dial	Horn	Smith (B)	
Bedford	Dixon	Langford	Smith (J)	
Bedsole	Ellis	Little	Teague	
Bennett	Figures			—25

*Nays:*

—0

### BILLS ON THIRD READING

Senator Bedford requested and received permission to suspend the Rules in order to bring up the Bill:

H. 400. Relating to Fayette County; to regulate further the expense allowance of the members of Fayette County Commission and giving retroactive effect to such expense allowances; and providing automatic termination of such expense allowances.

And said Bill, H. B. 400, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Menton	
Aldridge	Cooley	Hand	Mitchem	
Amari	Denton	Holmes	Parsons	
Barron	Dial	Horn	Smith (B)	
Bedford	Dixon	Langford	Smith (J)	
Bedsole	Ellis	Little	Teague	
Bennett	Figures			—25

*Nays:*

—0



**BUDGET ISOLATION RESOLUTION**

On motion of Senator Teague, the Rules were suspended and the B. I. R., S. B. 518, was adopted by the Senate.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Hand	Mitchem
Aldridge	Denton	Holmes	Parsons
Amari	Dial	Horn	Smith (B)
Barron	Dixon	Langford	Smith (J)
Bedsole	Ellis	Little	Strong
Bennett	Figures	Menton	Teague
Cabaniss	Foshee		

—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

Senator Teague requested and received permission to suspend the Rules in order to bring up the Bill:

S. 518. Relating to Talladega County; providing further for banking business within said county; authorizing any bank which moves its principal offices from the county, into another county, to continue operations in Talladega County as a branch so as to not cause a hardship to its customers.

And said Bill, S. B. 518, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Mitchem
Aldridge	Dial	Holmes	Parsons
Amari	Dixon	Horn	Smith (B)
Bedsole	Ellis	Langford	Smith (J)
Bennett	Figures	Little	Strong
Cabaniss	Foshee	Menton	Teague
Cooley			

—25

*Nays:* —0

**RESOLUTION**

Senator Smith (B) requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

S. J. R. 196. NAMING THE KENNETH E. JOHNSON ENVIRONMENTAL AND ENERGY CENTER AT THE UNIVERSITY OF ALABAMA IN HUNTSVILLE, ALABAMA, THE "KENNETH E. JOHNSON RESEARCH CENTER."

WHEREAS, the "Kenneth E. Johnson Environmental and Energy Center" at the University of Alabama in Huntsville, Alabama, was named in 1977 in honor of the late Dr. Kenneth E. Johnson, who was active in environmental and energy research studies and programs throughout the State of Alabama; and

WHEREAS, the unusual scope and integration of resources offered by the Center were a function of its distinctive nature as conceived by Dr. Johnson; and

WHEREAS, the scope of the Center's program, however, has grown beyond just energy and environment and, as a result of this growth, much of the Center's funding is in other areas, thereby causing confusion regarding the Center's marketing activities; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the "Kenneth E. Johnson Environmental and Energy Center" at the University of Alabama in Huntsville, Alabama, is hereby named and designated as the "Kenneth E. Johnson Research Center."

BE IT FURTHER RESOLVED, That the proper officials at said Center are hereby authorized to erect and maintain appropriate signs and markers so designating said Center as the "Kenneth E. Johnson Research Center."

On motion of Senator Smith (B), the Rules were suspended and the Resolution was adopted by the Senate.

#### BUDGET ISOLATION RESOLUTION

On motion of Senator Dial, the Rules were suspended and the B. I. R., S. B. 267, was adopted by the Senate.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Hand	Mitchem
Aldridge	Denton	Holmes	Parsons
Amari	Dial	Horn	Smith (B)
Bailey	Dixon	Langford	Smith (J)
Barron	Ellis	Little	Strong
Bedsole	Figures	Menton	Teague
Cabaniss	Foshee		

—25

*Nays:*

—0

#### BILLS ON THIRD READING RESUMED

Senator Dial requested and received permission to suspend the Rules in order to bring up the Bill:

S. 267. Relating to Clay County; providing further for the expense allowance and salary for the county coroner.

And said Bill, S. B. 267, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Hand	Mitchem
Aldridge	Denton	Holmes	Parsons
Amari	Dial	Horn	Smith (B)
Bailey	Dixon	Langford	Smith (J)
Barron	Ellis	Little	Strong
Bedsole	Figures	Menton	Teague
Cabaniss	Foshee		

—25

*Nays:*

—0

**RESOLUTION RECONSIDERED**

Senator Bennett moved that the Senate reconsider the vote by which the Resolution, S. R. 194, was adopted.

On motion of Senator Cabaniss, the motion to reconsider was laid on the table.

Yeas 14; Nays 8.

*Yeas:*

Senators:	Bedsole	Dial	Hand	
Amari	Cabaniss	Dixon	Little	
Bailey	Covington	Drinkard	Smith (B)	
Bedford	Denton	Ellis		—14

*Nays:*

Senators:	Figures	Horn	Menton	
Bennett	Goodwin	Langford	Sanders	
Corbett				—8

**REPORTS OF COMMITTEES**

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Little, Bedsole, Barron, and Corbett:

S. 461. To authorize the governing body of any county or municipality, or any county and municipality or municipalities to establish historic preservation commissions and architectural review boards in order to preserve and protect buildings, sites, structures, areas and districts of historic significance, architectural, archaeological and aesthetic heritage in the state, and to promote these attractions to tourists and visitors; to provide for the membership, the qualifications and terms, the powers, duties, and appointments to such commissions and boards; to prescribe that certain reporting shall be made to the Alabama Historical Commission and to the local governing bodies; to provide for the reimbursement of expenses of members, the rules of procedures for operations, and notice of meetings; to provide that each commission shall constitute a non-profit governmental agency whose funds shall be used exclusively for public purposes; to prescribe that certain restrictions shall be placed on designated properties, and provide exceptions thereto; to provide for appeals and other judicial processes; to preserve certain existing historic development commissions or architectural review boards; to authorize these to be certified with local government status or to assume the powers of this act pursuant to proper ordinance; and to provide that the provisions of this act are cumulative.

By Senator Goodwin:

S. 460. Authorizing the appointment of peace officers by the ACJIC director and chairman of the ACJIC Commission to enforce laws pertaining to the operation and administration of the Alabama criminal justice information system.

By Senator Corbett:

S. 219. To provide further for warranties on new motor vehicles and to provide for refunds for failure to conform to said warranties.

By Senator Drinkard:

S. 293. To amend Section 18-3-1, Code of Alabama 1975, which provides for acquisition of rights-of-way by private parties, so as to provide further for said acquisition.

By Senators Little, Bedsole, Strong, and deGraffenried:

S. 360. To create the Alabama Art Preservation Act; to protect an artist or public against the defacement, mutilation, alteration or destruction of a work of fine art and, under certain conditions, any heir, legatee or personal representative; to make certain exemptions; to provide for judicial relief; to provide a period of limitation to initiate action; and to prescribe an effective date.

By Rep. Zoghby:

H. 30. To regulate certain activities relating to possession of and transactions in drug paraphernalia; to define certain terms relating to such paraphernalia; to make it unlawful to engage in certain activities relating to such paraphernalia; to prescribe criminal penalties for such unlawful acts; to prescribe forfeiture for contraband; and to repeal and supersede those provisions of Chapter 2, Title 20 of the Code of Alabama which heretofore regulated "drug related objects."

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Johnson (RW) and Smith:

H. 132. To create the Municipal Government Capital Improvement Fund; to make certain annual appropriations to such fund from the General Fund of the State based upon the amounts of income from the investment of certain moneys derived by the State from the leasing of rights in and royalty payments from offshore oil, gas and other hydrocarbon minerals; to provide for the distribution of such appropriations among incorporated municipalities; and to provide for the uses to which such monies shall be put.

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Campbell (With Amendment):

H. 136. To amend the Alabama Administrative Procedure Act, Act No. 81-855, Acts of Alabama 1981 (codified as Chapter 22, Title 41, Code of Alabama 1975), by specifically amending Section 41-22-3, Code of Alabama 1975, relating to the definition of "agency" to include the Alabama Department of Environmental Management and to delete those exempted agencies which no longer exist, and relating to the definition of "rule" to exempt from that definition hunting and fishing seasons, bag or creel limits promulgated by the commissioner of the department of conservation and natural

resources, any form which is specifically required by federal statute or by federal rule or regulation, but providing that all forms must be on file with the secretary of the agency and with the legislative reference service and published in the agency administrative code and relating to the definition of "contested case" to exempt from that definition and the provisions of Sections 41-22-12 through 41-22-21, Code of Alabama 1975, certain pardon and parole hearings; by amending Section 41-22-6, Code of Alabama 1975, relating to the effective dates of rules so as to permit an effective date of less than 35 days where the action is required by or to comply with a federal statute or regulation which requires adoption of a rule upon fewer than 35 days' notice and to require that adopted rules be filed within 90 days after notice; by amending Section 41-22-8, Code of Alabama 1975, relating to the time limitation placed upon agency action upon a petition in writing requesting the adoption, amendment or repeal of a rule so as to grant an agency which has its next regularly scheduled meeting beyond said 60-day period, the authority upon written notice to extend the period for not more than 30 days within which to deny or initiate rule-making proceedings; by amending Section 41-22-11, Code of Alabama 1975, to correct appeals reference; by amending Section 41-22-12, Code of Alabama 1975, relating to contested cases to permit, where now permitted by existing statute, delivery of notice of hearing by first-class mail, postage prepaid, to be effective upon the deposit of the notice in the mail; and further to provide that where the statutory determinative process is a multi-level procedure, the opportunity to present evidence need be afforded at only one level in the process unless otherwise provided by statute; by amending Section 41-22-13, Code of Alabama 1975, relating to rules of evidence so as to provide that, where judicial review is by a trial de novo, it is not necessary to make objections or for the agency to rule upon objections during a hearing, where such procedure is announced in advance of hearing, but requires the agency in such case to consider only such testimony and evidence as is relevant, material, competent and legal; by amending Section 41-22-16, Code of Alabama 1975, relating to final decisions and orders to provide that notification of all orders, except the final order, may where permitted by existing statute, be delivered by first-class mail, postage prepaid, and delivery to be effective upon deposit of the notice in the mail; by amending Section 41-22-20, Code of Alabama 1975, relating to judicial review of contested cases to require that a cost bond must be filed with the agency in order to initiate appeal or review; to make the 30-day period within which to appeal or to institute judicial review uniform in all cases, to provide for appeal or review by the courts by a trial de novo where permitted by existing or future statute; to provide that appeals from agency orders may also be filed in the circuit court of Montgomery County; by amending Section 41-22-21, Code of Alabama 1975, relating to appeals from final judgments of circuit courts to require that an appeal must be taken to the appropriate appellate court within 42 days from entry of judgment; by amending Section 41-22-23, Code of Alabama 1975, to clarify the time in which the joint committee on administrative regulation review has to approve or disapprove a proposed regulation and to provide further for the number of copies of a proposed rule an agency shall furnish the committee; by amending Section 41-22-24 to provide the procedure for reconsideration of disapproved rules by the legislature; amending Sections 41-22-25 and 41-22-27, Code of Alabama 1975, to clarify the effective date and publication date of the Alabama Administrative Procedure Act; and repealing the exemption of the Alabama Department of Environmental Management as set forth in Section 14(d) of Act No. 82-612, Acts of Alabama 1982.

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Johnson (RW), Drake, Coleman, White (F), Smith, Onderdonk, Clark (J), McMillan, Starr, Warren, Faulk, Turnham, Biddle, Newman, Nicholson, Mitchell, Butler, Thomas, Dutton, Browder, Poole, Burke, Bowling, Reed, Harvey, Laird, Holley, Britnell, Moore, Penry, Bryant, Cosby, Junkins, Mikell, Blakeney, Tanner, Richardson, Hooper, Ford, Preuitt, Beasley, Fuller, Mathis, White (L), Lauderdale, Adams, Blake, Starkey, Pratt, and Martin:

H. 185. To create the County Government Capital Improvement Fund; to make certain annual appropriations to such fund from the General Fund of the State based upon the amounts of income from the investment of certain moneys derived by the State from the leasing of rights in and royalty payments from offshore oil, gas and other hydrocarbon minerals; to provide for the distribution of such appropriations among county governments; and to provide for the uses to which such moneys shall be put.

Senator Parsons, Chairperson of the Standing Committee on Education, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Bennett, Amari, Aldridge, Strong, Bedford, and Horn:

S. 104. To amend Sections 16-36-7 and 16-36-27 of the Code of Alabama, 1975, so as to allow State adoption and purchase of educational materials for children enrolled in the public kindergartens of the State.

By Senator Bennett:

S. 139. To amend Section 16-10-1, Code of Alabama, 1975, so as to eliminate the requirement that local school trustees must be appointed by the county board of education and to repeal Sections 16-10-4 and 16-10-9, Code of Alabama, 1975.

By Senator Teague:

S. 507. To further amend Section 16-25A-1, Code of Alabama 1975, as amended, relating to the health insurance for public education employees, so as to include the employees of the Alabama Institute for the Deaf and Blind.

By Senator Dixon:

S. 117. To include school systems and institutions in the definition of government so as to make it illegal to knowingly falsify certain school records.

By Reps. Junkins and Bugg:

H. 227. To name and designate the college resulting from the merger of Gadsden State Junior College, Gadsden State Technical Institute and Alabama Technical College as Gadsden State Community College.

Senator Parsons, Chairperson of the Standing Committee on Education, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senators Bedsole, Dixon, Hand, Mitchem, Barron, Dial, Langford, Covington, Ellis, Corbett, Figures, Sanders, Hilliard, Teague, Strong, Amari, Horn, Smith (J), deGraffenried, Cooley, Aldridge, Bishop, Foshee, Holmes, Drinkard, Goodwin, Menton, Cabaniss, and Parsons (With Amendment):

S. 339. To provide further for the compensation of certain professors and instructors at state four-year institutions of higher learning.

Senator Holmes, Chairperson of the Standing Committee on Small Business, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Johnson (RW):

H. 62. To provide for criminal penalties and civil liability for the theft of certain cable television services, and to provide for the confiscation of certain equipment used in the theft of any such cable television services.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Martin, Drake, and Parker (With Notice and Proof):

H. 247. Relating to Morgan County; providing further for the expense allowances of the chairman and the members of the county commission; and repealing conflicting laws.

By Rep. Hammett (With Notice and Proof):

H. 640. Relating to Covington County, exempting rescue squads from any and all county or municipal sales and use taxes.

By Reps. Johnson (RG) and Preuitt (With Notice and Proof):

H. 661. Relating to Talladega County; providing further for banking business within said county; authorizing any bank which moves its principal offices from the county, into another county, to continue operations in Talladega County as a branch so as to not cause a hardship to its customers.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that the following Bills have been placed on the Consent Calendar for today, to-wit:

By Senator Drinkard:

S. 398. To provide for the licensing by the Department of Revenue of salvage pools or businesses which sell or dispose of wrecked or damaged motor vehicles; to provide for the payment and distribution of fees; and to provide for penalties for violations.

By Senators Dixon, Mitchem, Bedsole, Holmes, Goodwin, Langford, Foshee, Barron, Bennett, and Cabaniss:

S. 369. To amend Section 34-9-18 Code of Alabama, 1975, to provide that complaints before the Board of Dental Examiners and testimony with respect thereto are absolutely privileged and to grant immunity from suit to the Board of Dental Examiners.

By Senators Dixon and Langford:

S. 299. To amend Section 17-5-12 of the Code of Alabama 1975, relating to places of voting so as to provide that the county commission may designate a place of holding elections other than the courthouse in the precinct in which the courthouse is situated.

By Senator Barron:

S. 392. To amend Sections 22-21-20 and 22-21-27, Code of Alabama 1975, as amended, to include and provide for the licensure of home health agencies and hospice.

By Senator Langford:

S. 40. To amend Section 12-15-34, Code of Alabama 1975, so as to provide that a child 14 or more years of age may be transferred by the juvenile court for criminal prosecution as an adult for any crime; to provide that the finding of probable cause at the transfer hearing in the juvenile court shall preclude a further probable cause hearing in the criminal court; to provide that the criminal court may exercise any authority over the child, once transferred, that is otherwise applicable to adult offenders; to provide that transfer to the criminal court and conviction therein terminates jurisdiction of the juvenile court over such child with respect to any pending or subsequent criminal acts; to amend the definition of "delinquent act" found in Section 12-15-1 so as to exclude criminal acts committed by a child who has previously been transferred for criminal prosecution and convicted as provided in Section 12-15-34; to amend Section 12-15-33 so as to preclude the possibility of transfer to the juvenile court of a criminal case against a child who has been previously transferred for criminal prosecution and convicted as provided in Section 12-15-34; and, to provide an effective date.

## RESOLUTIONS

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 197. COMMENDING HARRY L. COAMBES OF DECATUR, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Also:

S. R. 198. COMMENDING MICHAEL EUGENE MOORE OF TONEY, ALABAMA, FOR OUTSTANDING ACHIEVEMENT AND COMMUNITY SERVICE.

Which were filed.

Senator Amari offered the following Senate Resolution, to-wit:

S. R. 199. COMMENDING RESHA RIGGINS "MISS TRUSSVILLE—1986."

Which was filed.

Senator Smith (J) offered the following Senate Resolution, to-wit:

S. R. 200. COMMENDING LOUISE LIOCE OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING ACHIEVEMENT AND COMMUNITY SERVICE.



Also:

S. R. 201. COMMENDING KENNETH YOUNG OF ARDMORE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Which were filed.

Senator Menton offered the following Senate Resolution, to-wit:

S. R. 202. COMMENDING ELAINE ROUSSOS OF MOBILE, ALABAMA, 1985, FIRST LADY OF MOBILE.

Which was filed.

Senator Mitchem offered the following Senate Joint Resolution, to-wit:

S. J. R. 203. DESIGNATING TEACHER APPRECIATION DAY AND URGING ALABAMA CITIZENS TO MAKE A COMMITMENT TO PUBLIC EDUCATION.

WHEREAS, the public schools are an important and integral part of Alabama's future; and

WHEREAS, the teachers in the public schools of Alabama have demonstrated a strong commitment to the education of Alabama's youth; and

WHEREAS, the teaching profession is directly responsible for the dramatic increase in student achievement test scores; and

WHEREAS, the teachers are often the "unsung heroes" in the development of tomorrow's leaders; and

WHEREAS, all citizens have a responsibility to support the public schools; now, therefore,

BE IT RESOLVED, That the Legislature does hereby proclaim that the Friday of American Education Week 1986, and each year thereafter, shall be known as Teacher Appreciation Day in recognition of the contributions made by Alabama's teachers in the improvement of our public education system and for the future of this great state; and

BE IT FURTHER RESOLVED, That the Legislature urges all Alabama citizens to make a commitment to public education and to the future of Alabama's children by visiting their local public schools and by donating their time and talents to help make the public schools even better.

On motion of Senator Mitchem, the Rules were suspended and the Resolution was adopted by the Senate.

## BILLS ON THIRD READING RESUMED

### THE BILL:

S. 354. To establish an Alabama Men's Hall of Fame; prescribes its purposes and membership; and provides for election of members and officers and for holding of meetings.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 12; Nays 3.

Yeas:

Senators:	Denton	Ellis	Parsons	
Bailey	Dixon	Goodwin	Smith (B)	
Cabaniss	Drinkard	Hand	Teague	
Cooley				—12

Nays:

Senators:	Bedsole	Corbett	Hilliard	—3
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(The President and Presiding Officer of the Senate declared a quorum present but not voting.)

**RECESS**

At 1 o'clock P.M., on motion of Senator Hand, the Senate took a recess subject to the call of the Chair.

The recess period having expired, at 2:50 P.M., the Senate was called to order by Lieutenant Governor Baxley. A quorum of the Senate was present.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Tuscaloosa City Civil Service Board.

Respectfully submitted,

Elvin Stanton,  
Executive Secretary.

DONE this 24th day of February, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Walter B. Lawson  
3212 Second Avenue  
Tuscaloosa, AL 35401

as a member of the Tuscaloosa City Civil Service Board.

Respectfully submitted,

George C. Wallace,  
Governor.

DONE this 24th day of February, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Tuscaloosa City Civil Service Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Tuscaloosa City Civil Service Board.

Respectfully submitted,

Elvin Stanton,  
Executive Secretary.

DONE this 24th day of February, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Hilliard Fletcher  
16 Monnish Drive  
Tuscaloosa, AL 35408

as a member of the Tuscaloosa City Civil Service Board.

Respectfully submitted,

George C. Wallace,  
Governor.

DONE this 24th day of February, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Tuscaloosa City Civil Service Board, was read and referred to the Standing Committee on Rules.

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To The Senate of Alabama  
State House  
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Respectfully submitted,

Elvin Stanton,  
Executive Secretary.

DONE this 24th day of February, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Russell Gibson, III  
Heritage Federal Building  
Tuscaloosa, AL 35401

as a member of the Tuscaloosa City Civil Service Board.

Respectfully submitted,

George C. Wallace,  
Governor.

DONE this 24th day of February, 1986.

#### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Tuscaloosa City Civil Service Board, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE GOVERNOR

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the University of South Alabama Board of Trustees.

Respectfully submitted,

Elvin Stanton,  
Executive Secretary.

DONE this 24th day of February, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. P. B. Watson  
6401 Pinehurst Run  
Mobile, AL 36601

as a member of the University of South Alabama Board of Trustees.

Respectfully submitted,

George C. Wallace,  
Governor.

DONE this 24th day of February, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the University of South Alabama Board of Trustees, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the University of South Alabama Board of Trustees.

Respectfully submitted,

Elvin Stanton,  
Executive Secretary.

DONE this 24th day of February, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Mayer Mitchell  
2502 South Delwood Drive  
Mobile, AL 36601

as a member of the University of South Alabama Board of Trustees.

Respectfully submitted,

George C. Wallace,  
Governor.

DONE this 24th day of February, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the University of South Alabama Board of Trustees, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the University of South Alabama Board of Trustees.

Respectfully submitted,

Elvin Stanton,  
Executive Secretary.

DONE this 24th day of February, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Dr. Ulysses McBride  
173 North 8th Avenue  
Atmore, AL 36502

as a member of the University of South Alabama Board of Trustees.

Respectfully submitted,

George C. Wallace,  
Governor.

DONE this 24th day of February, 1986.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the University of South Alabama Board of Trustees, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE GOVERNOR

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the University of South Alabama Board of Trustees.

Respectfully submitted,

Elvin Stanton,  
Executive Secretary.

DONE this 24th day of February, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. John Counts  
1009 Marion Drive  
Mobile, AL 36609

as a member of the University of South Alabama Board of Trustees.

Respectfully submitted,

George C. Wallace,  
Governor.

DONE this 24th day of February, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the University of South Alabama Board of Trustees, was read and referred to the Standing Committee on Rules.

**BUDGET ISOLATION RESOLUTION**

Senator Bennett, B. I. R., S. B. 405, adopted.

Yeas 23; Nays 0.

*Yeas:*

Senators:	Cooley	Drinkard	Langford
Bailey	Corbett	Foshee	Little
Bedsole	Covington	Goodwin	Menton
Bennett	Denton	Hand	Mitchem
Bishop	Dial	Holmes	Parsons
Cabaniss	Dixon	Horn	Teague

—23

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 405. To provide that support shall be ordered paid directly to the Department of Pensions and Security or its designee in cases which come within the requirements of Title IV-D of the Social Security Act, as amended; provides for the distribution of monies collected; provides for notice to the court of the location and address where monies shall be received; provides for contracting with a designated party; provides that the record of collections shall constitute the official payment record, and shall be prima facie evidence of the payment made by the obligor.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

*Yeas:*

Senators:	Corbett	Figures	Little
Aldridge	Covington	Foshee	Menton
Bailey	Denton	Hand	Mitchem
Bedsole	Dial	Holmes	Smith (B)
Bennett	Dixon	Horn	Smith (J)
Cabaniss	Drinkard	Langford	Teague
Cooley			

—24

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Hand, B. I. R., S. B. 75, adopted.

Yeas 24; Nays 0.

*Yeas:*

Senators:	Cooley	Drinkard	Menton
Aldridge	Corbett	Foshee	Mitchem
Bailey	Covington	Hand	Parsons
Barron	Denton	Horn	Smith (B)
Bedsole	Dial	Langford	Smith (J)
Bennett	Dixon	Little	Teague
Cabaniss			

—24

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 75. To amend Section 16-13-58, Code of Alabama 1975, which provides for the State Board of Education to determine the amount of funds needed by each county and city from the Minimum Program Fund, so as to provide that the full cost of the Minimum Program be paid.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

*Yeas:*

Senators:	Cooley	Drinkard	Menton
Aldridge	Corbett	Foshee	Parsons
Bailey	Covington	Hand	Sanders
Barron	Denton	Horn	Smith (B)
Bedsole	Dial	Langford	Smith (J)
Bennett	Dixon	Little	Teague
Cabaniss			

—24

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Hand, B. I. R., S. B. 210, adopted.

Yeas 23; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Mitchem
Aldridge	Covington	Hand	Parsons
Bailey	Denton	Horn	Sanders
Bedsole	Dial	Langford	Smith (B)
Bennett	Dixon	Little	Smith (J)
Cabaniss	Drinkard	Menton	Teague

—23

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 210. To create and establish a state forest industrial development board; to provide for the membership and meetings of such a board; to



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prescribe the responsibilities and functions for such board; and to make an appropriation from the state general fund for such board.

was taken up.

The Standing Committee on Agriculture, Conservation, and Forestry reported the following amendment to the Bill, S. B. 210, to-wit:

**AMENDMENT TO S. B. 210**

Amend Senate Bill No. 210, page 3 line 18 by deleting "1985-86" and inserting in lieu thereof "1986-87".

Which was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Hand	Mitchem	
Aldridge	Denton	Holmes	Parsons	
Bailey	Dial	Horn	Sanders	
Bedsole	Dixon	Langford	Smith (B)	
Bennett	Drinkard	Little	Smith (J)	
Cabaniss	Ellis	Menton	Teague	
Corbett	Foshee			—25

*Nays:* —0

And said Bill, S. B. 210, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Hand	Mitchem	
Aldridge	Denton	Holmes	Parsons	
Bailey	Dial	Horn	Sanders	
Bedsole	Dixon	Langford	Smith (B)	
Bennett	Drinkard	Little	Smith (J)	
Cabaniss	Ellis	Menton	Teague	
Corbett	Foshee			—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Corbett, B. I. R., S. B. 222, adopted.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Corbett	Drinkard	Little	
Bailey	Covington	Foshee	Menton	
Bedsole	Denton	Hand	Mitchem	
Bennett	Dial	Horn	Sanders	
Cabaniss	Dixon	Langford	Teague	—19

*Nays:* —0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 222. To amend Sections 32-6-271, 32-6-272 and 32-6-274, Code of Alabama 1975, which provide for distinctive license plates for fire fighters, so as to provide further for said license plates.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

*Yeas:*

Senators:	Corbett	Ellis	Menton	
Aldridge	Covington	Hand	Mitchem	
Bailey	Denton	Holmes	Parsons	
Bedsole	Dial	Horn	Sanders	
Bennett	Dixon	Langford	Smith (B)	
Cabaniss	Drinkard	Little	Smith (J)	
Cooley				—24

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Drinkard, B. I. R., S. B. 398, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Ellis	Little	
Bailey	Denton	Hand	Menton	
Barron	Dial	Holmes	Sanders	
Bedsole	Dixon	Horn	Smith (B)	
Bennett	Drinkard	Langford		—18

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 398. To provide for the licensing by the Department of Revenue of salvage pools or businesses which sell or dispose of wrecked or damaged motor vehicles; to provide for the payment and distribution of fees; and to provide for penalties for violations.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Drinkard	Little	
Bailey	Corbett	Ellis	Menton	
Barron	Denton	Hand	Sanders	
Bedsole	Dial	Holmes	Smith (B)	
Bennett	Dixon	Langford		—18

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Dixon, B. I. R., S. B. 369, adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Corbett	Drinkard	Little
Bailey	Covington	Ellis	Menton
Bedsole	Denton	Foshee	Parsons
Bennett	Dial	Hand	Smith (B)
Cabaniss	Dixon	Langford	Smith (J)
Cooley			

—20

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 369. To amend Section 34-9-18 Code of Alabama, 1975, to provide that complaints before the Board of Dental Examiners and testimony with respect thereto are absolutely privileged and to grant immunity from suit to the Board of Dental Examiners.

was taken up.

Senator Dixon requested and received permission to suspend the Rules in order to offer the following substitute for the Bill, S. B. 369, to-wit:

**SUBSTITUTE FOR S. B. 369**

**A BILL  
TO BE ENTITLED  
AN ACT**

To further amend Section 34-9-18, Code of Alabama 1975, as amended, so as to provide that complaints before the Board of Dental Examiners and testimony, with respect thereto, are absolutely privileged; and to grant immunity from suit to the Board of Dental Examiners, certain members, agents, employees, consultants and others in connection with hearings and investigations.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. Section 34-9-18, Code of Alabama 1975, as amended, is hereby further amended to read as follows:

“§34-9-18.

“(a) The board may invoke disciplinary action as outlined in subsection (b) hereof whenever it shall be established to the satisfaction of the board, after hearing as hereinafter provided, that any dentist or dental hygienist has been guilty of the following:

“(1) Fraud, deceit or misrepresentation, whether knowingly or unknowingly, in obtaining any license, license certificate, annual registration certificate, money or other thing of value; or

"(2) Gross immorality; or

"(3) Is a menace to the public health or to patients or others by reason of a disease; or

"(4) Is an habitual user of intoxicants or drugs rendering him unfit for the practice of dentistry or dental hygiene; or

"(5) Has been convicted for violation of federal or state narcotics or barbiturate laws; or

"(6) Is guilty of gross negligence in the practice of dentistry or dental hygiene; or

"(7) Is guilty of employing, allowing or permitting any unlicensed person or persons to perform any work in his office which, under the provisions of this chapter, can only be legally done by a person or persons holding a license to practice dentistry or dental hygiene; or

"(8) Willfully or negligently violates the rules of the state department of health or of the board regarding sanitation; or

"(9) Is guilty of division of fees, or agreeing to split or divide the fee received for dental service with any person for bringing or referring a patient without the knowledge of the patient or his legal representative, except the division of fees between dentists practicing in a partnership and sharing professional fees, or in case of one licensed dentist employing another; or

"(10) Is guilty of professional connection or association with or lending his name to anyone who is engaged in the illegal practice of dentistry; or

"(11) Conviction in any court of competent jurisdiction of a felony or a misdemeanor involving moral turpitude; or

"(12) a. A dental hygienist using or attempting to use in any manner whatsoever any prophylactic list, call list, records, reprints, or copies of same, or information gathered therefrom, of the names of patients whom such dental hygienist served in the office of a prior employer, unless such names appear upon the bona fide call or prophylactic list of her present employer and were caused to so appear through the legitimate practice of dentistry as provided for in this chapter; or

"b. A licensed dentist who aids or abets or encourages a dental hygienist employed by him to make use of a so-called prophylactic list or the calling by telephone or by the use of letters transmitted through the mails to solicit patronage from patients formerly served in the office of any dentist employing such hygienist or nurse; or

"(13) Pertaining to licensed dentists only, the prescribing, administering or dispensing of any controlled substances enumerated in Schedules I through V contained in the Alabama Uniform Controlled Substances Act, chapter 2 of Title 20, or any amendment or successor thereto, for any person not under his treatment in the regular practice of his profession; or

"(14) Irregularities in billing an insurance company or other third party payer for services rendered to a patient; or

"(15) Violating any rule or regulation adopted by the board of dental examiners; or

"(16) Has had his license to practice dentistry or dental hygiene from another state suspended or revoked based upon acts similar to those described

in this section. A certified copy of the record of suspension or revocation of the state making such suspension or revocation shall be conclusive evidence thereof.

"For the purposes of this section irregularities in billing shall include: reporting charges for the purpose of obtaining a total payment in excess of that usually received by the dentist for the services rendered; falsely reporting treatment dates for the purpose of obtaining payment; falsely reporting charges for services not rendered; falsely reporting services rendered for the purpose of obtaining payment; or failing to advise any third party payer that the co-payment provisions of a contract have been abrogated by accepting the payment received from the third party payer as full payment.

"(b) When the board finds any dentist or dental hygienist guilty of any of the grounds set forth in subsection (a), it may enter an order imposing one or more of the following penalties:

"(1) Refuse to issue the dentist or dental hygienist license or license certificate provided for in this chapter.

"(2) Revoke the license of any dentist or dental hygienist.

"(3) Suspend the license of any dentist or dental hygienist.

"(4) Enter a censure.

"(5) Issue an order fixing a period and terms of probation best adapted to protect the public health and safety and to rehabilitate the dentist or dental hygienist.

"(6) Imposition of an administrative fine not to exceed \$1,000.00 for each count or separate offense.

"(7) Imposition of restrictions on the scope of practice.

"(8) Imposition of peer review or professional education requirements.

"(9) Assessment of the costs of the disciplinary proceedings.

"(c) Failure to comply with any final order of the board, including but not limited to an order of censure or probation, is cause for suspension or revocation of a license.

"(d) No disciplinary action as outlined in subsections (b) or (c) hereof shall be invoked or entered except after hearing by the board as provided in this chapter, and such order is subject to judicial review as provided by this chapter.

"No order of suspension or revocation provided in this section shall be made or entered except after hearing by the board as provided in this chapter, and such order shall be subject to judicial review as provided by this chapter.

"(e) Members of the board of dental examiners, any agent, employee, consultant or attorney for the board, the members of any committee of dentists or dental hygienists impaneled by the board, shall be immune from suits for any conduct in the course of their official duties with respect to investigations or hearings; provided, that said persons act without malice and in good faith that such investigations or hearings are warranted by the facts, known to them after diligent effort to obtain the facts of the matter relative to such investigations or hearings."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Cooley	Drinkard	Little	
Bailey	Corbett	Ellis	Menton	
Barron	Covington	Foshee	Parsons	
Bedsole	Denton	Hand	Smith (B)	
Bennett	Dial	Langford	Smith (J)	
Cabaniss	Dixon			—21

*Nays:* —0

And said Bill, S. B. 369, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Cooley	Dixon	Holmes	
Bailey	Corbett	Drinkard	Langford	
Barron	Covington	Ellis	Little	
Bedsole	Denton	Foshee	Menton	
Bennett	Dial	Hand	Smith (B)	
Cabaniss				—20

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

Senator Dixon, B. I. R., S. B. 299, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Dixon	Little	
Bailey	Cooley	Drinkard	Menton	
Barron	Corbett	Ellis	Parsons	
Bedsole	Denton	Holmes	Smith (B)	
Bennett	Dial	Langford		—18

*Nays:* —0

### BILLS ON THIRD READING RESUMED

#### THE BILL:

S. 299. To amend Section 17-5-12 of the Code of Alabama 1975, relating to places of voting so as to provide that the county commission may designate a place of holding elections other than the courthouse in the precinct in which the courthouse is situated.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

REGULAR SESSION  
17th Day

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Yeas 19; Nays 0.

*Yeas:*

Senators:	Cooley	Drinkard	Little	
Bailey	Corbett	Ellis	Menton	
Barron	Denton	Hand	Smith (B)	
Bedsole	Dial	Holmes	Smith (J)	
Bennett	Dixon	Langford	Teague	—19
<i>Nays:</i>				—0

**BUDGET ISOLATION RESOLUTION**

Senator Barron, B. I. R., S. B. 392, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Parsons	
Bailey	Dial	Holmes	Smith (B)	
Bedford	Dixon	Langford	Smith (J)	
Cooley	Drinkard	Little	Teague	
Corbett	Ellis	Menton		—18
<i>Nays:</i>				—0

**BILLS ON THIRD READING RESUMED**

THE BILL:

S. 392. To amend Sections 22-21-20 and 22-21-27, Code of Alabama 1975, as amended, to include and provide for the licensure of home health agencies and hospice.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Cooley	Ellis	Menton	
Bailey	Corbett	Hand	Mitchem	
Barron	Denton	Holmes	Parsons	
Bedsole	Dixon	Langford	Smith (B)	
Bennett	Drinkard	Little	Smith (J)	
Cabaniss				—20
<i>Nays:</i>				—0

**BUDGET ISOLATION RESOLUTION**

Senator Langford, B. I. R., S. B. 40, adopted.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Menton	
Bailey	Dial	Hand	Mitchem	
Bedsole	Dixon	Holmes	Parsons	
Cooley	Drinkard	Langford	Smith (B)	
Corbett	Ellis	Little	Smith (J)	—19
<i>Nays:</i>				—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 40. To amend Section 12-15-34, Code of Alabama 1975, so as to provide that a child 14 or more years of age may be transferred by the juvenile court for criminal prosecution as an adult for any crime; to provide that the finding of probable cause at the transfer hearing in the juvenile court shall preclude a further probable cause hearing in the criminal court; to provide that the criminal court may exercise any authority over the child, once transferred, that is otherwise applicable to adult offenders; to provide that transfer to the criminal court and conviction therein terminates jurisdiction of the juvenile court over such child with respect to any pending or subsequent criminal acts; to amend the definition of "delinquent act" found in Section 12-15-1 so as to exclude criminal acts committed by a child who has previously been transferred for criminal prosecution and convicted as provided in Section 12-15-34; to amend Section 12-15-33 so as to preclude the possibility of transfer to the juvenile court of a criminal case against a child who has been previously transferred for criminal prosecution and convicted as provided in Section 12-15-34; and, to provide an effective date.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

**Yeas:**

Senators:	Corbett	Ellis	Menton	
Aldridge	deGraffenried	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Bedsole	Dial	Holmes	Smith (B)	
Cabaniss	Dixon	Langford	Smith (J)	
Cooley	Drinkard	Little		—22

**Nays:**

—0

Senator Bailey moved that the Senate reconsider the vote by which the Bill, S. B. 40, was passed.

On motion of Senator Langford, the motion to reconsider was laid on the table.

**UNFINISHED BUSINESS****BILLS ON THIRD READING RESUMED**

The Senate proceeded to the unfinished business for today, which was the Bill:

S. 170. To require all state entities and political sub-divisions thereof to purchase American made goods and to provide that contracts in violation are void.

as amended by the Parsons substitute for the Committee substitute, which said substitute is set out in the Journal of the Senate for the Fifteenth Legislative Day. The question was on the Hand amendment to the Committee substitute, as amended, which said amendment is set out in the Journal of the Senate for the Sixteenth Legislative Day.

On motion of Senator Hand, the Hand amendment was laid on the table.



Senator Holmes offered the following substitute No. 2 for the Committee substitute, as amended, for S. B. 170, to-wit:

**SUBSTITUTE FOR COMMITTEE SUBSTITUTE, AS AMENDED,  
FOR S. B. 170**

**A BILL  
TO BE ENTITLED  
AN ACT**

To require all state entities and political subdivisions thereof to purchase American made goods.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. All state departments, agencies, institutions, entities, and political subdivisions thereof shall purchase American made goods if such goods are available, taking into consideration the qualities of the commodities proposed to be supplied, their conformity with specifications, the purposes for which required, the terms of delivery, transportation charges and the dates of delivery, and provided there is no substantial sacrifice or loss in price or quality as determined by the contracting agency, institution, entity or political subdivision of the state.

Section 2. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 15; Nays 13.

*Yeas:*

Senators:	Cabaniss	Dixon	Holmes	
Bailey	Cooley	Ellis	Menton	
Barron	deGraffenried	Goodwin	Mitchem	
Bedsole	Dial	Hand	Smith (J)	—15

*Nays:*

Senators:	Corbett	Langford	Sanders	
Aldridge	Denton	Little	Smith (B)	
Bedford	Drinkard	Parsons	Teague	
Bennett	Horn			—13

And said Committee substitute, as amended, was then adopted.

Yeas 17; Nays 16.

*Yeas:*

Senators:	Cooley	Goodwin	Mitchem	
Bailey	deGraffenried	Hand	Smith (B)	
Barron	Dial	Holmes	Smith (J)	
Bedsole	Dixon	Menton	Strong	
Cabaniss	Ellis			—17

*Nays:*

Senators:	Corbett	Foshee	Little
Aldridge	Covington	Hilliard	Parsons
Bedford	Denton	Horn	Sanders
Bennett	Drinkard	Langford	Teague
Bishop			

—16

### **MOTION TO ADJOURN RECONSIDERED**

Senator Parsons moved that the Senate reconsider the vote by which the Motion to adjourn until Thursday, March 5, 1986, at 12:01 A.M., was adopted.

Senator Hand moved that said motion to reconsider be laid on the table.

### **REPORT OF COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bills, respectively, and finds same correctly engrossed, to-wit:

S. 210. To create and establish a state forest industrial development board; to provide for the membership and meetings of such a board; to prescribe the responsibilities and functions for such board; and to make an appropriation from the state general fund for such board.

Also:

S. 369. To further amend Section 34-9-18, Code of Alabama 1975, as amended, so as to provide that complaints before the Board of Dental Examiners and testimony, with respect thereto, are absolutely privileged; and to grant immunity from suit to the Board of Dental Examiners, certain members, agents, employees, consultants and others in connection with hearings and investigations.

CHARLES BISHOP,  
Chairperson.

### **FURTHER CONSIDERATION OF MOTION TO ADJOURN**

The Senate proceeded to further consideration of the Parsons motion that the Senate reconsider the vote by which the Motion to adjourn was adopted. The question was on the motion of Senator Hand that said motion to reconsider be laid on the table.

On motion of Senator Parsons, the motion to table the motion to reconsider was laid on the table.

On motion of Senator Parsons, the Senate reconsidered the vote by which the Motion to adjourn was adopted.

And on motion of Senator Parsons, the Motion to adjourn was laid on the table.

### **ADJOURNMENT**

At 5:25 P.M., on motion of Senator Parsons, pending further consideration of S. B. 170, as amended, the Senate adjourned until Thursday, March 6, 1986, at 9:30 A.M.

## **EIGHTEENTH LEGISLATIVE DAY**

**THURSDAY, MARCH 6, 1986**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

### **PRAYER**

The Session was opened with prayer by Doctor Hudson Baggett, Editor, Alabama Baptist Paper, Birmingham, Alabama.

### **PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Tom Wilhelm, Pizitz Middle School, Birmingham, Alabama.

### **ROLL CALL**

Present:

Senators:	Cabaniss	Ellis	Little
Aldridge	Cooley	Figures	Menton
Amari	Corbett	Foshee	Mitchem
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hand	Sanders
Bedford	Denton	Hilliard	Smith (B)
Bedsole	Dial	Holmes	Smith (J)
Bennett	Dixon	Horn	Strong
Bishop	Drinkard	Langford	Teague

—35

### **JOURNAL**

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

### **REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Seventeenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

### **COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Seventeenth Legislative Day was approved by the Senate.

### **INTRODUCTION OF BILLS**

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Bedford (With Notice and Proof):

S. 561. To amend the title and Section 1 of Act No. 82-317, H. 793 of the 1982 Regular Session (Acts 1982, p. 429) relating to allocation and distribution of certain oil and gas privilege tax revenues accruing to Fayette County or any municipality therein, so as to provide further for such allocation and distribution.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 561, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senators Bedford and Bennett:

S. 562. To provide further for the regulation, control, abatement and prevention of environmental problems in the state, including problems resulting from air and water pollution, solid and hazardous waste management activities, coastal area activities, the supply of drinking water, water well drilling and the operation of water and wastewater treatment plants. Specifically, this Act amends Section 22-22A-5, Code of Alabama 1975, as amended, to authorize the Alabama Department of Environmental Management to issue administrative orders assessing civil penalties for violation of laws which it administers; to provide against certain duplicate and repetitive administrative penalties; to authorize the Alabama Department of Environmental Management or Attorney General to commence civil actions to recover penalties for such violations; and to require that such penalties be deposited to the credit of the general fund; to authorize the Alabama Department of Environmental Management, Attorney General or District Attorneys to commence civil actions to enjoin violations of laws administered by the Alabama Department of Environmental Management; to clarify the authority of the Alabama Department of Environmental Management to enforce the provisions of laws which it administers and to issue licenses. This Act also amends Section 22-22A-7, Code of Alabama 1975, as amended, to provide that administrative action which was or could have been reviewed by the Environmental Management Commission shall not be subject to judicial review in civil or criminal enforcement proceedings; to provide for appeals of rules or regulations based on grounds arising after promulgation of such rules and regulations; to provide for prompt appeals to circuit court. This Act also amends Section 22-22A-11, Code of Alabama 1975, as amended, relating to the Alabama Department of Environmental Management Fund to allow for deposit of fines and penalties into the general fund. This Act also amends Sections 9-7-22, 22-22-9, 22-28-22 and 22-23-52, Code of Alabama 1975, as amended, to repeal provisions relating to civil actions for the recovery of penalties and injunctive relief. This Act also amends Section 22-22-9, Code of Alabama 1975, as amended, to clarify that enforcement provisions are applicable to permits and orders issued by the Alabama Department of Environmental Management; to clarify that certain provisions apply to pollutants as well as sewage, industrial wastes or other wastes; to clarify existing subpoena powers; and to modify the notice requirements for water quality standards. This Act also amends Section 22-22-14, Code of Alabama 1975, as amended, to provide further for the punishment of persons who are convicted of a violation committed after a first conviction. This Act also amends Section 22-28-22, Code of Alabama 1975, as amended, to clarify existing subpoena powers. This Act also amends Section 22-28-23, Code of

Alabama 1975, as amended, to provide that local air pollution programs may adopt provisions for administrative assessment of civil penalties and issue permits in lieu of permits from the Department. This Act also amends Section 22-30-19, Code of Alabama 1975, as amended, to repeal provisions relating to administrative assessment of penalties; to permit representatives of the Alabama Department of Environmental Management to enter premises, including transportation facilities, for purposes related to the administration of the Hazardous Wastes Management Act of 1978, including inspection and copying of records required to be maintained; to make criminal a culpable omission in an application, label, manifest, record, report, permit or document and the destruction, alteration, concealment or failure to maintain or file certain documents; and to increase the fines for criminal offenses. This Act also makes clear the legislative intention that the Alabama Department of Environmental Management provide notice in the manner prescribed by those laws made expressly applicable to it.

Committee on Health and Welfare.

By Senator Holmes:

S. 563. To amend Section 16-13-120 of the Code of Alabama of 1975 pertaining to county boards of education and city boards of education so as to permit said boards of education to issue interest-bearing warrants payable from the proceeds of any ad valorem tax equivalent that is apportioned by local act of the Legislature of Alabama, and also to raise the maximum rate of interest to be borne by such warrants from 8% per annum to 12% per annum.

Committee on Finance and Taxation.

By Senator Foshee:

S. 564. To amend Section 12-13-33, Code of Alabama 1975, so as to provide for an increase in the amount of the bond of probate judges and chief clerks in probate offices; and further provides for the bond of county commission chairmen and clerks of the county commissions.

Committee on Governmental Affairs.

### **BILLS ON THIRD READING**

Senator Bailey requested and received permission to suspend the Rules in order to bring up the Bill:

H. 466. Relating to Houston County; to regulate the election and tenure of the Houston County Commission; to provide for the at-large election of a full-time chairman of said commission; to provide for the election of part-time associate county commissioners from four election districts; to provide for qualifications and residency requirements; to provide for the filling of vacancies in such offices; and to provide for the creation of four county commission districts.

And said Bill, H. B. 466, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Cabaniss	Figures		

—25

Nays:

—0

Senator Bailey moved that the Senate reconsider the vote by which the Bill, H. B. 466, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

### RESOLUTIONS

Senators Little and Foshee offered the following Senate Resolution, to-wit:

**S. R. 204. CONGRATULATING MR. AND MRS. BASCOM BROOMS ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.**

Which was filed.

Senator Little requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

**S. J. R. 205. EXTENDING THE LIFE AND REPORTING DATE OF THE JOINT INTERIM LEGISLATIVE COMMITTEE ON THE ARTS AND HUMANITIES.**

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That the life and reporting date of The Joint Interim Legislative Committee on The Arts and Humanities, created by Act 83-339, S. J. R. 47, 1983 Regular Session, as amended, are hereby extended to the final day of the 1986 Regular Session at which time said committee shall be abolished.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

### REPORTS OF COMMITTEES

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Goodwin, Teague, and Foshee:

**S. 45.** To amend section 36-22-61 Code of Alabama 1975, to provide the same benefits to the spouse of a Sheriff who dies in office as are currently provided for the spouse of a Supernumerary Sheriff, so long as such deceased Sheriff was eligible for Supernumerary status immediately preceding his death.

By Senator Cooley:

S. 431. To provide an appropriation of funds which are available to the Division of Employment Security of the Alabama Department of Industrial Relations out of funds credited to this State's account in the Unemployment Trust Fund by the Secretary of the Treasury of the United States of America pursuant to Section 903 of the Social Security Act, as amended, for the purpose of providing funds for the administration of the unemployment compensation and employment service programs as the director shall determine to be in the best interest of the State, and the total cost of which does not exceed the amount of this appropriation. Such funds are to be expended exclusively for the programs administered by the Division of Employment Security of the Department of Industrial Relations of the State of Alabama.

By Senators Dixon and Langford:

S. 77. To provide for creditable service for purposes of service retirement for unused accrued sick leave for retiring state merit system employees.

By Senator deGraffenried:

S. 80. To amend Section 41-9-374 of the Code of Alabama 1975, relating to certain appropriation provisions for the Alabama commissioners on uniform state laws, so as to remove the limitation on funds payable to the national conference of commissioners on uniform state laws.

By Senators Mitchem, Covington, Cooley, Smith (J), Goodwin, and Bishop:

S. 216. To amend Section 40-9-13, Code of Alabama 1975, which provides the exemption of The Prisoners of War Thrift Shops from the payment of all state, county and municipal sales and use taxes.

By Senator Foshee:

S. 163. To provide subsistence allowance for police communication officers employed by the Department of Public Safety while on duty and to authorize expenditure of funds for that purpose.

By Senator Ellis:

S. 161. Proposing an amendment to the Constitution of Alabama to provide that no bond, warrant or any other obligation of any county shall be considered a bond for the purposes of Section 222 of the Constitution of Alabama of 1901, as amended, nor shall any bond, warrant or any other obligation of any county be included in the indebtedness of such county within the meaning of any provision of Section 224 of the Constitution of Alabama of 1901, as amended, if any such bond, warrant or other obligation is issued to provide, improve or repair any public facilities or improvements (including, without limitation, roads, streets, sidewalks, sanitary and storm water sewers, sewage treatment facilities, flood control facilities, seawalls, and lighting systems) specially benefiting, to any degree, one or more tracts or parcels of property if the cost of such public facilities or improvements is to be assessed, in whole or in part, against such property.

The above Bill was read a second time at length as required by the Constitution.

By Senator Menton:

S. 266. To amend further sections 40-23-4 and 40-23-62 of the Code of Alabama 1975, which provide for certain exemptions from sales and use

taxes, so as to include certain materials, supplies and equipment used in offshore federal waters; and to provide for an effective date.

By Senator Little:

S. 279. To establish the Revenue Forecast Control Commission to project anticipated state revenue and to advise the legislature.

By Senator Langford:

S. 282. To provide that full-time employees and executive officers of the Alabama State Employees' Association and the Alabama Retired State Employees' Association may elect to become members of the Teachers' Retirement System of Alabama; also to provide that said associations and their employees shall assume all costs, both contributory and administrative, and no cost shall devolve upon the state.

By Senators Dixon and Langford:

S. 88. To amend Sections 16-25-11 and 36-27-11, Code of Alabama 1975, relating to the teachers' retirement system and the employees' retirement system, respectively, so as to provide further for the number of years of contributing membership service a member of such retirement systems shall complete before being allowed to restore previous creditable service with either such retirement system.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Bailey, Hand, Mitchem, Dial, Bedford, deGraffenried, Langford, Foshee, Covington, Little, Aldridge, Denton, Teague, Goodwin, Menton, and Barron (With Amendment):

S. 236. Providing further for the monthly boarding payment made by the State Department of Pensions and Security for keeping a foster child and to provide that it shall be based on the cost of living index.

By Senators Bailey, Mitchem, Hand, deGraffenried, Langford, Foshee, Covington, Little, Aldridge, Denton, Bedford, Teague, Goodwin, and Barron (With Amendment):

S. 237. To provide for the protection of the children of the State of Alabama by insuring that the Family and Children Services Division of the Department of Pensions and Security will be capable of serving children in need of emergency support.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Foshee:

S. 286. To provide for cost-of-living increases in the retirement benefits of retired employees of certain public hospitals and related facilities; to provide that the granting of such increases shall be at the option of the county governing body of the county in which such hospital or facility existed and the cost thereof shall be paid by such county.



Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Senator Teague (With Amendments):

S. 302. To provide for the establishment of a uniform plan of health insurance for employees and, under certain conditions, retired employees of employers participating in the employees' retirement system of Alabama under the provisions of Section 36-27-6 of the Code of Alabama 1975; to provide for the creation of the local employees' health insurance board; to prescribe the authority, powers, duties and terms of the members of said board; to prescribe the coverage which may be provided by said plan and the method of funding the cost of said coverage and to provide that said board upon certain findings, may develop a plan of self insurance.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Aldridge:

S. 303. To amend Section 15-12-22, Code of Alabama 1975 to provide that counsel appointed to represent an indigent defendant may file a separate claim against the Fair Trial Tax Fund for services rendered and expenses incurred in connection with a petition for writ of certiorari filed in the Alabama Supreme Court; to establish a maximum amount which may be claimed for such services; and to provide an effective date.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senators Bennett, Bedford, Cooley, Aldridge, Barron, Amari, Covington, Parsons, deGraffenried, Cabaniss, and Langford (With Substitute):

S. 208. To appropriate funding for the creation of the "Alabama Hazardous Waste Cleanup Fund", to provide that such fund shall be used for the cleanup and restoration of abandoned or inactive sites at which improper disposal of hazardous substances has occurred, resulting in the potential for deleterious impacts on the health and welfare of the citizens of the state, as well as on the state's natural, environmental, and biological systems; to plan and undertake the rehabilitation, removal, and cleanup of hazardous substances deposited improperly at sites located within this state; to provide that this fund shall be used for sites not qualified for or unlikely to receive funding from the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (Public Law 96-510); to provide that the fund shall be administered by the Alabama Department of Environmental Management; to provide that the sites within this state shall be ranked according to their relative threat and the fund applied to those sites in the order of that ranking; to direct the Alabama Department of Environmental Management to secure other funds whenever possible and thereby provide for future appropriations for the "Alabama Hazardous Waste Cleanup Fund."

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Parsons:

S. 315. To amend Sections 25-5-110, 25-5-113, 25-5-114, 25-5-117, 25-5-120, 11-43-144 and 36-30-7 of the Code of Alabama 1975 so as to redefine occupational diseases of firefighters and the related manner and procedures for compensation of such.

By Senators Hand, Bishop, Bedford, Teague, Goodwin, Denton, Strong, and Foshee:

S. 446. To amend Section 40-17-224 of the Code of Alabama 1975, relating to use of certain gas tax proceeds for highway purposes, so as to provide further for such use by certain municipalities.

Senator Corbett, Chairperson of the Standing Committee on Business and Labor Relations, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Reps. Albright, Grayson, Coburn, Drake, Browder, Perdue, Rogers, Spratt, Lauderdale, Dutton, Buskey (JE), Clark (W), Box, Bryant, Nicholson, Brakefield, and Britnell (With Substitute):

H. 513. To amend Section 25-4-72, Code of Alabama 1975, as last amended, so as to increase the maximum individual weekly unemployment compensation benefit to \$135.00 effective July 6, 1986, and to provide that such weekly rates be computed based upon the wages paid to an individual during the two quarters of his base period during which his wages were highest.

Senator Smith (J), Chairperson of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Carothers and Johnson (RG):

H. 202. To require insurance companies which sell medical liability insurance in this state to report to the appropriate state licensing agencies any judgment or settlement resulting from a claim for personal injuries caused by an error, omission or negligence in the performance of professional services; to provide for the form and content of the report made by the insurance company; to provide for the confidentiality of all reports required by this provision and all findings and records made by the licensing board thereon; to provide penalties for failure to make required reports; to provide for the severability of the provisions of this act; to provide for the repeal of all laws in conflict with this act; and to provide an effective date for this Act.

By Senators Teague and Parsons:

S. 474. To amend Sections 5-19-1, 5-19-4, 5-19-10, and 5-19-20, Code of Alabama 1975, which relate to the regulation of extensions of credit, so

as to exclude from the definition of "finance charge" premiums for insurance in lieu of perfecting a security interest and certain fees and charges if bona fide and reasonable in amount in transactions secured by real property; to limit the maximum charge to the debtor for insurance to the authorized premiums permitted for such coverages.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Smith (J) (With Notice and Proof):

S. 556. Relating to Limestone County; to provide that any municipality whose corporate limits or boundaries include lands lying outside of Limestone County, must, in addition to all other requirements of law, obtain the consent of the Limestone County Commission before annexation of lands lying in Limestone County.

By Senator Denton:

S. 532. To authorize the governing body of any Class 7 municipality operating under a commission form of government and organized pursuant to Sections 11-44-1 through 11-44-57 inclusive, Code of Alabama 1975, as amended, to adopt an ordinance to designate the places and responsibilities of the commissioners of such municipality; to require candidates desiring to run for a place on the commission to qualify for election to the designated place in which they desire to serve; and to prohibit further changes by ordinance once the designations have been made but, on the contrary, to require such additional changes to be authorized by legislative act.

By Senator Bedford (With Notice and Proof):

S. 551. Relating to Franklin County; to create a motor vehicle license division within the tax assessor's office for the issuance of motor vehicle licenses; to provide for a certain computerized branch office at Red Bay, Alabama; to provide certain duties for the division; to provide a procedure for handling cases involving invalid personal checks given for licenses and the voiding of such licenses; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and costs pursuant to such system of renewal of motor vehicle licenses by mail; to provide that such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; to provide for the issuance of motor vehicle licenses by the tax assessor's office and to transfer certain duties now performed by the probate judge and tax collector to said tax assessor.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that the following Bills have been placed on the Consent Calendar for today, to-wit:

By Senator Cooley:

S. 345. To amend section 35-11-371 of the Code of Alabama 1975 relating to the perfection of a lien for charges for hospital services so as to provide further for perfecting such lien by extending the time for filing and changing the place of filing.

By Senator Bennett:

S. 205. To amend Section 40-9-19, Code of Alabama, 1975, as previously amended, so as to define the types of local school taxes subject to the homestead exemption; and to provide an effective date for the Act.

By Senators Strong, Drinkard, Menton, Teague, Ellis, Bennett, Bedsole, Bedford, Aldridge, Horn, Langford, and Goodwin:

S. 127. To abolish any zoning law, ordinance or regulation which prohibits mentally retarded or mentally ill persons from living in a natural residential environment zoned "multi family" as it appears in zoning laws or ordinances so as not to exclude certain groupings of mentally retarded or mentally ill persons.

By Senators Bedford, Bennett, Aldridge, Little, and Langford:

S. 213. To require public officers and employees and certain other persons who have any financial interest in any commercial hazardous waste disposal site in the State of Alabama to file an annual statement of such financial interest with the Secretary of State and to provide penalties for the noncompliance with this Act.

By Senator Langford:

S. 34. To amend Sections 11-46-92, 11-46-93, 11-46-96, 11-46-97, 11-46-98, 11-46-107, 11-46-111, and 11-46-122, Code of Alabama 1975, so as to establish the dates of municipal elections in certain cities or towns having commission form of government and to establish dates and other procedures required in connection with such elections.

By Senator Langford:

S. 68. To provide that full-time employees and executive officers of the Alabama Opportunities Industrialization Center may elect to become members of the teachers' retirement system of Alabama; also to provide that said Center and its employees shall assume all costs, both contributory and administrative; and no cost shall devolve upon the State.

By Senator Bedsole:

S. 124. To permit local boards of education and the Alabama Institute for Deaf and Blind to use a part of their kindergarten teacher unit funds under certain conditions to employ teacher aides to assist with the kindergarten instructional program based upon criteria established by the state superintendent of education and with his prior approval.

By Senator Covington:

S. 385. To require that any bill introduced in the legislature which attempts to annex territory to a municipality or otherwise change the boundary lines of any municipality shall contain an accurate description of the territory to be annexed or removed from such municipality along with a map of such territory attached; to provide that a copy of such map be filed with the judge of probate of the county or counties where such territory is located and to require that any publication of notice of intent to apply for a local law annexing territory to a municipality or otherwise changing the boundary lines of any municipality shall state that a copy of such map is on file in the office of the probate judge and open to inspection by the public.

**RESOLUTIONS**

Senator Bennett offered the following Senate Joint Resolution, to-wit:

**S. J. R. 206. COMMENDING YORIKO SAITO AS A FINALIST IN THE WESTINGHOUSE ELECTRIC CORPORATION'S SCIENCE TALENT SEARCH.**

WHEREAS, Yoriko Saito, a senior at Homewood High School, was recently named a finalist in the Westinghouse Electric Corporation's Science Talent search; and

WHEREAS, Miss Saito's third place finish in the Westinghouse's national competition carried with it a \$15,000 scholarship; and

WHEREAS, she was only one of two students from the Southeast among the national winners; and

WHEREAS, some of the credit for Miss Saito's success can rightly be tied to the encouragement of her parents, Mr. and Mrs. Yoshimi Saito, who immigrated to Homewood from Japan two and one-half years ago; the instruction of Homewood High School Chemistry teacher Barbara Murphy and UAB Bio-chemistry Professor Dr. M. Hall in whose laboratory the teenager spent 10 months working on her project; now therefore

**BE IT RESOLVED BY THE LEGISLATURE, BOTH HOUSES THEREOF CONCURRING**, that Miss Saito is hereby commended for her outstanding academic accomplishments which have brought great credit to the Homewood and Alabama public school systems; and

**BE IT FURTHER RESOLVED**, that by copy of this resolution we sincerely wish her the very best in her future collegiate and professional pursuits.

On motion of Senator Bennett, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Corbett offered the following Senate Resolutions, to-wit:

**S. R. 207. COMMENDING ROYCE LEE GRIMES FOR DISTINGUISHED SERVICE TO THE LADONIA VOLUNTEER FIRE DEPARTMENT.**

Also:

**S. R. 208. COMMENDING FIRE CHIEF JAMES LOUIS WARD FOR OUTSTANDING SERVICE TO THE LADONIA VOLUNTEER FIRE DEPARTMENT AND THE COMMUNITY.**

Which were filed.

Senators Dial, Corbett, Hand, Denton, Drinkard, Cabaniss, Bedsole, Bailey, Dixon, Strong, Bennett, Barron, Mitchem, and Little offered the following Senate Joint Resolution, to-wit:

**S. J. R. 209. ENCOURAGING TEXTILE MANUFACTURERS TO PLACE "CRAFTED WITH PRIDE IN USA" LOGOS ON THE EXTERIOR OF TEXTILES; AND FOR OTHER PURPOSES.**

WHEREAS, the strength of America and the State of Alabama springs from the resourcefulness and pride of our people; and

WHEREAS, since the earliest days of the United States, the textile industry has captured the spirit and imagination of America with innovative products and matchless quality; and

WHEREAS, the textile and apparel industries in America and in the State of Alabama are the leading manufacturing employer of men and women and have represented the promise of a better future for generations; and

WHEREAS, there are no jobs for Americans or Alabamians in the relentless tide of imports that wash upon our shores like so many grains of sand; and

WHEREAS, it is in the interest of every taxpayer in the State of Alabama and every taxpayer in the United States of America to recognize the importance of the textile and apparel industries; and

WHEREAS, whenever possible, Alabamians should ask for, buy, and support American textile products and apparel; and

WHEREAS, as citizens of the State of Alabama our responsibility is to ensure that our manufacturing base, the source of employment and the foundation of our strength, is not destroyed; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body encourages all textile manufacturers to place an appropriate "Crafted With Pride In USA" logo on the exterior of all textiles manufactured in America when it is legal and practical to do so, in order to promote the use of American made textiles.

On motion of Senator Dial, the Rules were suspended and the Resolution was adopted by the Senate.

### MOTIONS IN WRITING

Senator Drinkard offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 293, on page 81 of the Eighteenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 293, referred to the Standing Committee on Rules for placement on the Consent Calendar.

Senator Mitchem offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 73, on page 38 of the Eighteenth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 73, referred to the Standing Committee on Rules for placement on the Consent Calendar.

### RESOLUTIONS

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 210. COMMENDING CHARLES F. LOFTY.

Also:

S. R. 211. COMMENDING MR. FRANK J. HAZEL OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING SERVICE TO THE ENGINEERING PROFESSION AND TO THE COMMUNITY.

Also:

S. R. 212. COMMENDING ACE COLLINS OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Also:

S. R. 213. COMMENDING MR. LARRY E. LANDMAN.

Which were filed.

Senator Ellis offered the following Senate Resolution, to-wit:

S. R. 214. COMMENDING THE CHELSEA HIGH SCHOOL SCHOLARS BOWL TEAM.

Which was filed.

### NOTICES IN WRITING

Senators deGraffenried and Cabaniss offered the following Notice in Writing, to-wit:

#### NOTICE IN WRITING

Notice is hereby given that on the next legislative day a motion will be made to amend the Senate Rules as follows:

Delete in its entirety the present Rule 41 and insert in lieu thereof the following:

“Rule 41. No member shall speak more than twice on any question under debate and none shall, without leave of the Senate, speak for more than one hour at each time. The right to speak shall not be abrogated by any means other than the invocation of Rule 21. The originator of the pending question, or the chairperson of the committee reporting the measure, shall have the right to conclude the debate, which right cannot be cut off by motion to table. The originator of the pending question shall have precedence.”

Which was read and spread upon the Journal.

Senators deGraffenried and Cabaniss then offered the following Notice in Writing, to-wit:

#### NOTICE IN WRITING

Notice is hereby given that on the next legislative day a motion will be made to amend the Senate Rules as follows:

Delete in its entirety the present Rule 19 and insert in lieu thereof the following:

“Rule 19. When a question is under debate, no motion shall be received but: (1) to adjourn, (2) to adjourn to a day certain, (3) to lay on the table, (4) to postpone indefinitely, (5) to postpone to a day certain, (6)

to commit, or (7) to amend, which several motions shall have precedence in the order they stand arranged. The motions to adjourn and to adjourn to a day certain shall always be in order and shall be decided without debate. The motion to lay on the table shall be in order upon completion of debate as provided for in Rule 41 of the Senate Rules and said motion to lay on the table shall be decided without debate."

Which was read and spread upon the Journal.

### **POINT OF PERSONAL PRIVILEGE**

Senator Little requested and received permission for his absence for the remainder of this Legislative Day due to his attendance of the Executive Committee of the National Conference of State Legislators, of which he is a member.

### **UNFINISHED BUSINESS**

#### **BILLS ON THIRD READING RESUMED**

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 170. To require all state entities and political sub-divisions thereof to purchase American made goods and to provide that contracts in violation are void.

as amended.

Senator Parsons offered the following substitute No. 2 for the Bill, S. B. 170, as amended, to-wit:

#### **SUBSTITUTE FOR S. B. 170, AS AMENDED**

##### **A BILL TO BE ENTITLED AN ACT**

To require all state entities and political sub-divisions thereof to purchase American made goods, to provide that contracts in violation are void, and to provide certain exceptions.

#### **BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. All state departments, agencies, institutions, entities, and political sub-divisions thereof shall purchase American made goods if such goods are available. In all instances where competitive bids are required, the purchasing agent shall specify that the goods shall be American made. All competitive bid laws shall be read in *pari materia* with this act.

Section 2. For the purpose of this act, the term "American made" shall mean that on January 1, of the first year following the effective date of this act, 20% of the cost of the components, as stated in the bid, whose final fabrication and/or their assembly into the end product was completed within the United States; effective January 1, of the second year following the effective date of this act, 30% of the cost of the components, as stated in the bid, whose final fabrication and/or their assembly into the end product was completed within the United States; effective January 1, of the third year following the effective date of this act, 40% of the cost of the components, as stated in the bid, whose final fabrication and/or their assembly into the



end product was completed within the United States; and effective January 1, of the fourth year following the effective date of this act, 51% of the cost of the components, as stated in the bid, whose final fabrication and/or their assembly into the end product was completed within the United States. Raw materials, except coal, used in the composition of components for the final fabrication and/or their assembly into the end product are exempt from this act.

Section 3. All medical tools and instruments necessary for research and patient care and all items purchased for resale are exempt from this act. This does not include equipment and supplies for building maintenance, housekeeping, kitchen and office.

Section 4. Nothing in the act shall be construed to conflict with any Federal requirements for the expenditures of Federal aid funds for any state department, agency, institution, entity or political sub-division thereof.

Section 5. The products of any foreign corporation, whose corporate headquarters is located outside the Continental United States, with a manufacturing facility that employs 150 or more employees in Alabama if said employees are actually working and receiving compensation shall be exempt from this statute.

Section 6. Any contract entered into by the state or any political sub-division thereof in violation of the provisions of this act shall be null and void.

Section 7. All laws or parts of laws which conflict with this act are hereby repealed.

Section 8. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This act shall become effective upon the enactment by seven other states of similar legislation which meets or exceeds the requirements, standards and restrictions provided by Section 2 of this Act.

Senator Cabaniss offered the following amendment to the Parsons substitute No. 2 for the Bill, S. B. 170, as amended, to-wit:

**AMENDMENT TO PARSONS SUBSTITUTE NO. 2  
FOR S. B. 170, AS AMENDED**

Amend the substitute for S. 170 as last substituted on page 3 by striking out in its entirety Section 8 and renumbering the subsequent sections accordingly.

On motion of Senator Cabaniss, the Cabaniss amendment was laid on the table.

Senator Goodwin offered the following amendment to the Parsons substitute No. 2 for the Bill, S. B. 170, as amended, to-wit:

**AMENDMENT TO PARSONS SUBSTITUTE NO. 2  
FOR S. B. 170, AS AMENDED**

On page 3, lines 4 through 7, delete all the language in Section 8 and insert in lieu thereof:

Section 8. The provisions of this act are expressly declared not to be severable. If any provision of this act shall be adjudged to be invalid by any

court of competent jurisdiction, then this entire act shall be invalid and held void.

On motion of Senator Parsons, said amendment was laid on the table.

Yeas 20; Nays 12.

*Yeas:*

Senators:	Corbett	Figures	Langford	
Aldridge	Covington	Foshee	Parsons	
Bedford	deGraffenried	Hilliard	Sanders	
Bennett	Denton	Holmes	Strong	
Bishop	Drinkard	Horn	Teague	
Cooley				—20

*Nays:*

Senators:	Dial	Goodwin	Mitchem	
Bailey	Dixon	Hand	Smith (B)	
Bedsole	Ellis	Menton	Smith (J)	
Cabaniss				—12

## RECESS

At 11:40 A.M., on motion of Senator deGraffenried, the Senate took a recess until 1 o'clock P.M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Baxley. A quorum of the Senate was present.

## FURTHER CONSIDERATION OF S. B. 170, AS AMENDED

The Senate proceeded to further consideration of the Bill, S. B. 170, as amended.

Senator Smith (J) offered the following amendment to the Parsons substitute No. 2 for the Bill, S. B. 170, as amended, to-wit:

### AMENDMENT TO PARSONS SUBSTITUTE NO. 2 FOR S. B. 170, AS AMENDED

Amend the Substitute for S. B. 170 by striking Section 5 in its entirety and substituting in lieu thereof the following new Section 5.

"Section 5. Finished products that are assembled in the State of Alabama shall be exempt from this statute, regardless of the domestic or foreign origin of the component parts assembled in Alabama. The term "assembled" shall mean that a substantial manufacturing effort in Alabama is necessary in order to produce the finished product and shall not mean the routine joining together of several parts that can be done simply and without a substantial manufacturing effort. The Director of the Department of Industrial Relations shall promulgate regulations further defining the terms "assembled" and "substantial manufacturing effort".

Which was lost.

Yeas 4; Nays 25.

*Yeas:*

Senators:	Goodwin	Hand	Smith (J)	
Dixon				—4

REGULAR SESSION  
18th Day

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*Nays:*

Senators:	Corbett	Figures	Menton
Aldridge	Covington	Foshee	Mitchem
Bailey	deGraffenried	Hilliard	Parsons
Bedford	Denton	Holmes	Smith (B)
Bennett	Dial	Horn	Strong
Bishop	Drinkard	Langford	Teague
Cooley	Ellis		

—25

Senator Dial offered the following amendment to the Parsons substitute No. 2 for the Bill, S. B. 170, as amended, to-wit:

**AMENDMENT TO PARSONS SUBSTITUTE NO. 2  
FOR S. B. 170, AS AMENDED**

Amend on page 2 line 30 by striking 150 or more

Senator Bishop moved that said amendment be laid on the table, which motion was lost.

Yeas 12; Nays 18.

*Yeas:*

Senators:	Bishop	Drinkard	Langford
Aldridge	Corbett	Hilliard	Parsons
Bedford	Denton	Horn	Teague
Bennett			

—12

*Nays:*

Senators:	Cooley	Ellis	Menton
Bailey	Covington	Foshee	Smith (B)
Barron	deGraffenried	Goodwin	Smith (J)
Bedsole	Dial	Hand	Strong
Cabaniss	Dixon	Holmes	

—18

And said Dial amendment was then adopted.

Yeas 19; Nays 13.

*Yeas:*

Senators:	Cabaniss	Ellis	Menton
Aldridge	Covington	Foshee	Mitchem
Bailey	deGraffenried	Goodwin	Smith (B)
Barron	Dial	Hand	Smith (J)
Bedsole	Dixon	Holmes	Strong

—19

*Nays:*

Senators:	Cooley	Figures	Langford
Bedford	Corbett	Hilliard	Parsons
Bennett	Denton	Horn	Teague
Bishop	Drinkard		

—13

Senator Parsons offered the following amendment to the Parsons substitute No. 2, as amended, for the Bill, S. B. 170, as amended, to-wit:

**PARSONS AMENDMENT TO PARSONS SUBSTITUTE NO. 2  
AS AMENDED, FOR S. B. 170,  
AS AMENDED**

Amend the Substitute for S. B. 170 by striking Section 5 in its entirety and substituting in lieu thereof the following new Section 5.

"Section 5. Finished products that are assembled in the State of Alabama shall be exempt from this statute, regardless of the domestic or foreign origin of the component parts assembled in Alabama. The term "assembled" shall mean that a substantial manufacturing effort in Alabama is necessary in order to produce the finished product and shall not mean the routine joining together of several parts that can be done simply and without a substantial manufacturing effort.

On motion of Senator Cabaniss, said Parsons amendment was laid on the table.

Senator Parsons then offered the following substitute No. 3 for the Parsons substitute No. 2 as amended, for the Bill, S. B. 170, as amended, to-wit:

**PARSONS SUBSTITUTE NO. 3 FOR THE  
PARSONS SUBSTITUTE  
NO. 2, AS AMENDED, FOR S. B. 170, AS AMENDED**

**A BILL  
TO BE ENTITLED  
AN ACT**

To require all state entities and political sub-divisions thereof to purchase American made goods, to provide that contracts in violation are void, and to provide certain exceptions.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. All state departments, agencies, institutions, entities, and political sub-divisions thereof shall purchase American made goods if such goods are available. In all instances where competitive bids are required, the purchasing agent shall specify that the goods shall be American made. All competitive bid laws shall be read in pari materia with this act.

Section 2. For the purpose of this act, the term "American made" shall mean that on January 1, of the first year following the effective date of this act, 20% of the cost of the components, as stated in the bid, whose final fabrication and/or their assembly into the end product was completed within the United States; effective January 1, of the second year following the effective date of this act, 30% of the cost of the components, as stated in the bid, whose final fabrication and/or their assembly into the end product was completed within the United States; effective January 1, of the third year following the effective date of this act, 40% of the cost of the components, as stated in the bid, whose final fabrication and/or their assembly into the end product was completed within the United States; and effective January 1, of the fourth year following the effective date of this act, 51% of the cost of the components, as stated in the bid, whose final fabrication and/or their assembly into the end product was completed within the United States. Raw materials, except coal, used in the composition of components for the final fabrication and/or their assembly into the end product are exempt from this act.

Section 3. All medical tools and instruments necessary for research and patient care and all items purchased for resale are exempt from this act. This does not include equipment and supplies for building maintenance, housekeeping, kitchen and office.

Section 4. Nothing in the act shall be construed to conflict with any Federal requirements for the expenditures of Federal aid funds for any state department, agency, institution, entity or political sub-division thereof.

Section 5. The products of any corporation with a manufacturing facility that employs 150 or more employees in Alabama if said employees are actually working and receiving compensation shall be exempt from this statute.

Section 6. Any contract entered into by the state or any political sub-division thereof in violation of the provisions of this act shall be null and void.

Section 7. All laws or parts of laws which conflict with this act are hereby repealed.

Section 8. If any part of the act is declared invalid or unconstitutional, such declaration shall make this act null and void.

Section 9. This act shall become effective upon the enactment by seven other states of similar legislation which meets or exceeds the requirements, standards and restrictions provided by Section 2 of this Act.

Which was adopted.

Senator Cabaniss offered the following amendment No. 2 to the Parsons substitute No. 2, as amended, for the Bill, S. B. 170, as amended, to-wit:

**CABANISS AMENDMENT NO. 2 TO PARSONS SUBSTITUTE  
NO. 2, AS AMENDED, FOR S. B. 170, AS AMENDED**

Amend the Substitute for S. B. 170 as last substituted on page 2, line 27, by deleting Section 5 in its entirety and inserting in lieu thereof a new Section 5 as follows:

"Section 5. The products sold by any corporation or company with a manufacturing, fabrication, assembly or distribution facility or a dealership in Alabama shall be exempt from this statute."

On motion of Senator Parsons, said amendment was laid on the table.

Yeas 20; Nays 12.

*Yeas:*

Senators:	Covington	Figures	Menton
Aldridge	deGraffenried	Foshee	Parsons
Bennett	Denton	Hilliard	Sanders
Bishop	Drinkard	Horn	Strong
Cooley	Ellis	Langford	Teague
Corbett			

—20

*Nays:*

Senators:	Bedsole	Dixon	Mitchem
Amari	Cabaniss	Hand	Smith (B)
Bailey	Dial	Holmes	Smith (J)
Barron			

—12

Senator Dial offered the following amendment No. 2 to the Parsons substitute No. 2, as amended, for the Bill, S. B. 170, as amended, to-wit:

**DIAL AMENDMENT NO. 2 TO PARSONS SUBSTITUTE NO. 2,  
AS AMENDED,  
FOR S. B. 170, AS AMENDED**

Page 2 line 30 Section 5. by striking 150 or more

On motion of Senator Parsons, said amendment was laid on the table.

And said Parsons substitute No. 2, as amended, was then adopted.

Yeas 26; Nays 6.

*Yeas:*

Senators:	Cooley	Foshee	Mitchem	
Aldridge	Corbett	Goodwin	Parsons	
Amari	Covington	Hilliard	Sanders	
Bailey	deGraffenried	Holmes	Smith (B)	
Barron	Denton	Horn	Strong	
Bennett	Drinkard	Langford	Teague	
Bishop	Ellis	Menton		—26

*Nays:*

Senators:	Cabaniss	Dixon	Smith (J)	
Bedsole	Dial	Hand		—6

And said Bill, S. B. 170, as amended by the substitute, as amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 27; Nays 5.

*Yeas:*

Senators:	Cooley	Foshee	Mitchem	
Aldridge	Corbett	Goodwin	Parsons	
Amari	Covington	Hilliard	Sanders	
Bailey	deGraffenried	Holmes	Smith (B)	
Barron	Denton	Horn	Smith (J)	
Bennett	Drinkard	Langford	Strong	
Bishop	Ellis	Menton	Teague	—27

*Nays:*

Senators:	Cabaniss	Dixon	Hand	
Bedsole	Dial			—5

### JOINT INTERIM COMMITTEE REPORT FILED

Under the provisions of Act No. 84, H. J. R. 126, 1976 Regular Session of the Legislature, the report of the Joint Prison Committee was filed with the Secretary.

### REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

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S. 170. To require all state entities and political sub-divisions thereof to purchase American made goods, to provide that contracts in violation are void, and to provide certain exceptions.

**CHARLES BISHOP,**  
Chairperson.

**ADJOURNMENT**

At 3 o'clock P.M., on motion of Senator Menton, the Senate adjourned until Tuesday, March 18, 1986, at 11 o'clock A.M.

## **NINETEENTH LEGISLATIVE DAY**

**TUESDAY, MARCH 18, 1986**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

### **PRAYER**

The Session was opened with prayer by Mr. Willie McQueen, Deacon, Pilgrim Rest Baptist Church, Montgomery, Alabama.

### **PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Ernest Lee Holmes, Capitol Heights Junior High School, Montgomery, Alabama.

### **ROLL CALL**

Present:

Senators:	Cabaniss	Ellis	Little
Aldridge	Cooley	Figures	Menton
Amari	Corbett	Foshee	Mitchem
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hand	Sanders
Bedford	Denton	Hilliard	Smith (B)
Bedsole	Dial	Holmes	Smith (J)
Bennett	Dixon	Horn	Strong
Bishop	Drinkard	Langford	Teague

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### **JOURNAL**

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

### **REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Eighteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

### **COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Eighteenth Legislative Day was approved by the Senate.

### **INTRODUCTION OF BILLS**

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:



By Senator Denton:

S. 565. To authorize and make provision for the incorporation of the Alabama Music Hall of Fame Board; to provide for the directors of the board; to provide for the powers, authorities and duties of the board and its board of directors; to authorize the board to acquire, enlarge, improve, expand, replace, own, operate, lease and dispose of properties to the end that the board may be able to promote public interest in and honor those, living or dead, who, by achievement or service, have made outstanding and lasting contributions to music in the State of Alabama or elsewhere, and to provide certain facilities for use by the board for the display of busts, statues, plaques, books, papers, pictures and other exhibits relating to music and musicians; to authorize the board to lease to others any or all of the property of the board and to charge and collect rent therefor; to authorize the board to receive and accept aid or contributions for furtherance of any of its purposes; to authorize the board to procure various types of insurance and guarantees; to authorize the board to borrow money for any of its corporate purposes; to provide for the issuance by the board for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing securities payable solely out of the revenues and receipts derived from the leasing or sale of any properties of the board; to provide that such securities shall, under certain circumstances, constitute negotiable instruments; to provide that such securities may be secured by a pledge of the revenues and receipts from which they are payable, by contracts binding the board for the proper application of its revenues and of the proceeds of such securities, and by mortgages and deeds of trust and trust indentures on the property out of the revenues from which such securities are payable; to provide for the use of the proceeds of any securities issued by the board; to provide for the refunding, by the issuance of such securities of the board, of securities theretofore issued or obligations theretofore assumed by it; to provide for the employment by the board of such officers, employees and agents as its business may require; to provide for the investment of funds of the board; to authorize the board to enter into contracts for the management of any of its properties; to authorize the sale or conveyance by the board of any of its properties; to exempt the property and income of the board and all securities issued by the board and the income from such securities and conveyances, leases, mortgages and deeds of trust to which the board is a party from all taxation in the state; to exempt the board from all taxes, including license and excise taxes levied by any county, municipality or other political subdivision of the state, and to exempt the board from payment of certain charges to judges of probate; to exempt the board from all laws of the state governing usury or prescribing or limiting interest rates; to exempt the directors, officers and employees of the board from the Alabama Ethics Law and the rules and promulgations by the Alabama Ethics Commission; to exempt the board from competitive bid laws; to provide for the dissolution of the board and the disposition of its property; and to repeal §§41-9-680—684, as amended, inclusive, Code of Alabama, 1975, and provide for the disposition of property held by the board established thereunder.

Committee on Governmental Affairs.

By Senator Aldridge (With Notice and Proof):

S. 566. Relating to Lawrence County, providing further for annexation of the below described land to the City of North Courtland.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 566, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Cooley (With Notice and Proof):

S. 567. To repeal Act No. 799, Regular Session 1977, except as to judges who have retired prior to the effective date of this act; to provide a substitute local retirement for circuit judges in the twenty-third judicial circuit; to increase contributions by said judges to the general fund of the county; to allow election to come under the provisions of said act.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 567, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Cooley:

S. 568. To provide for the conservation of the natural resources of the State; designating the caves and caverns of the State and the flora, fauna, mineral deposits and formations therein as worthy of preservation, protection and development for scenic, scientific, recreational, business and commercial purposes; protecting the rights of property owners and the general public in caves; to provide for liability for certain acts, to prohibit vandalism and pollution; to designate certain acts relative to caves and their contents as criminal offenses and to prescribe penalties therefor.

Committee on Buildings and Grounds.

By Senator Barron (With Notice and Proof):

S. 569. Relating to DeKalb County; creating the DeKalb County Commission Redistricting Study Committee.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 569, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Barron:

S. 570. To prohibit any bank from allowing certain persons convicted of certain criminal offenses to be a director, officer or employee of any state bank; to provide certain exceptions; and to impose penalties of banks violating the provisions of this act; and to prescribe guidelines and definitions; and to prescribe that the provisions of this act shall be cumulative.

Committee on Banking and Insurance.

By Senator Horn (With Notice and Proof):

S. 571. To amend Act No. 1272 of the Regular Session of the Legislature of Alabama of 1973, as amended, said act providing for a retirement and

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relief system for each city of the state having a population of two hundred and fifty thousand or more inhabitants, as originally established by Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, to provide authority to establish an optional retirement system for certain officers and employees, to provide an effective date, and to provide for other related matters.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 571, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Horn (With Notice and Proof):

S. 572. To provide authority to the Park and Recreation Boards of Class I municipalities to pay an expense allowance to members of the Board.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 572, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator deGraffenried:

S. 573. To characterize the relationship between a depositor and a depository institution and to distinguish between special and general deposits.

Committee on Banking and Insurance.

By Senator deGraffenried:

S. 574. To require certain minimum deposits into a trust fund of proceeds of sales of grave space in an endowment or perpetual care cemetery; to require a minimum deposit into an irrevocable trust fund by any person establishing endowment or perpetual care cemeteries after effective date of this act; to provide for the supervision and control of such trust funds; to provide for the penalties for violation; and for enforcement and supervision by the district attorneys of the several judicial circuits.

Committee on Consumer Affairs.

By Senator Langford (With Notice and Proof):

S. 575. To provide for the filing for record and the preservation of all orders and judgments made and entered by any judge of the circuit court of the 15th Judicial Circuit of Alabama, and to provide that such judgments or orders shall have the same force and effect as minutes of the circuit court of said circuit prior to the passage and approval of this act and to provide for retroactive effect.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 575, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Bedsole:

S. 576. To exempt athletic events held by certain schools on municipal property from state sales and use taxes.

Committee on Finance and Taxation.

By Senator Bedsole:

S. 577. To authorize county commissions to issue bonds for the purpose of public improvements; provides for disposition of the proceeds from the sale of the bonds; provides for the redemption and refunding of the bonds; and amends section 11-28-3, Code of Alabama 1975, which provides for the issuance of county warrants, so as to provide further for such issuance.

Committee on Governmental Affairs.

By Senator Bedsole:

S. 578. To amend Section 33-4-48, Code of Alabama 1975, which provides for bar pilot fees, so as to provide further for said fees.

Committee on Commerce,  
Transportation, and Utilities.

By Senator Menton:

S. 579. To amend Section 25-4-10(b)(17) Code of Alabama 1975, as last amended (The Alabama Unemployment Compensation Law) to exclude from the term "employment" certain services performed in the cleaning, processing and handling of a seafood commodity and to provide for its retroactive effect to January 1, 1985. To further amend Section 25-4-10(b)(17)b to exclude from "employment" services performed on or in a vessel of more than 10 tons operating with a crew of fewer than 10 engaged in catching or gathering certain fish or other forms of aquatic animal life if remuneration is solely by share of catch and to provide for its retroactive effect to January 1, 1985. To correct certain clerical errors in the act.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Foshee:

S. 580. To amend certain sections of Chapter 2 of Title 14 of the Code of Alabama 1975 to provide for the payment of capitalized interest from the proceeds from the sale of bonds of the authority for a period not to exceed one year from the date of issuance of such bonds; and to provide that rent payments by the state or any of its agencies shall be due in accordance with the provisions of any lease by the authority of any of its facilities.

Committee on Finance and Taxation.

By Senator Teague:

S. 581. To provide for the regulation and licensing of certain brokers and/or solicitors for residential mortgage loans through the state banking department; to exempt certain persons from such regulations; to prescribe such licensing regulations; to prescribe procedures relative to cease and desist orders by said department and denial, suspension and revocation of such licenses; to prescribe certain appellate procedures; to prescribe the powers of said department relative to the administration of this act; to prescribe

certain licensing and brokerage fees; to prescribe remedies for enforcement of this act; to prescribe certain requirements and prohibitions relative to persons engaging in the residential mortgage loan business and to prescribe penalty for violations of this act.

Committee on Governmental Affairs.

By Senator Goodwin:

S. 582. To make an appropriation of \$98,000 from the State Industrial Development Authority Application Fees Fund to the State Industrial Development Authority for the fiscal year ending September 30, 1986.

Committee on Finance and Taxation.

By Senator Amari (With Notice and Proof):

S. 583. Relating to Jefferson County; providing further for the compensation of the executive assistant to the Sheriff of Jefferson County.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 583, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Amari (With Notice and Proof):

S. 584. Relating to Jefferson County; to amend Section 2 of Act No. 84-616 of the Legislature of Alabama of 1984 relating to the compensation of the executive assistant to the Sheriff of Jefferson County so as to provide clarification of said compensation of the executive assistant.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 584, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Sanders (With Notice and Proof):

S. 585. To amend the title and Sections 4 and 5 of Act No. 83-480, H. 669, 1983 Regular Session (Acts 1983, p. 672), entitled "An Act Relating to Sumter County, levying a fee on all hazardous and non-hazardous waste stored, deposited or dumped at a disposal site presently known as Chemical Waste Management, Inc., near Emelle, Sumter County, Alabama; providing for the collection of said fee; providing for the disbursement of said fee; providing for the organizing of the North Sumter County Development Authority; and providing penalties for violation" so as to provide further for redistribution of certain funds and to create the South Sumter County Development Authority.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 585, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senators Strong and Dial:

S. 586. To amend Section 6-5-332 of the Code of Alabama 1975, relating to liability for civil damages as the result of rendering emergency care to certain injured persons, so as to include immunity to certain other persons.

Committee on Judiciary.

By Senator Covington:

S. 587. Relating to the Alabama Board of Nursing; to further provide for immunity concerning the official duties and functions of the Board.

Committee on Judiciary.

By Senator Hand (With Notice and Proof):

S. 588. Relating to Baldwin County; providing for the reidentification of registered voters in such county; prescribing the procedure for the reidentification of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 588, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Hand (With Notice and Proof):

S. 589. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Summerdale, in Baldwin County.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 589, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Hand (With Notice and Proof):

S. 590. Relating to Baldwin County; authorizing the sheriff to accept certain private contributions; providing for the placement and distribution of said contributions and providing for its retroactive effect.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 590, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senators Hand and Foshee:

S. 591. To amend section 11-41-8, Code of Alabama 1975, as amended, relating to validation of prior attempted incorporation invalidated by certain procedural irregularities so as to validate, in certain cases, certain municipal corporations attempted to be organized under the laws of Alabama which

might be invalid because of any irregularity in the procedure for incorporation, prior to January 1, 1986.

Committee on Governmental Affairs.

By Senator Amari:

S. 592. To prohibit any municipality, either directly or indirectly, or through its authorities, boards, commissions, or other divisions, to loan or obligate its public funds, or otherwise participate in a private development project, except those projects approved through legally constituted Downtown Restoration and/or Revitalization Authorities, and in those instances such public funds must be limited to no more than ten percent (10%) of the total cost of the private development project.

Committee on Governmental Affairs.

By Senator Langford:

S. 593. To amend Sections 41-13-5 and 41-13-22 through 41-13-25 relating to the management of certain public records so as to provide further for such management to include such records of municipalities; and to create a local government records commission in lieu of a county records commission.

Committee on Governmental Affairs.

By Senator Bedford:

S. 594. To amend Sections 34-3-16 and 34-3-30, Code of Alabama 1975, as they relate to the election of Alabama Bar Commissioners.

Committee on Buildings and Grounds.

### MESSAGE FROM THE GOVERNOR

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Board of Pardons and Paroles.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 11th day of March, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Jack Shows  
725 Sweeten Creek Road  
Montgomery, AL 36109

as a member of the State Board of Pardons and Paroles.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 11th day of March, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Board of Pardons and Paroles, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Johnson (RW):

H. J. R. 266. COMMENDING THE "ALABAMA CHORAL EXPLOSION."

Also:

By Rep. Junkins:

H. J. R. 274. COMMENDING BRETT BENEFIELD AND TIM SIMMONS FOR OUTSTANDING HEROISM.

Also:

By Rep. Bugg:

H. J. R. 281. COMMENDING THE EMMA SANSOM HIGH SCHOOL BAND OF GADSDEN, ALABAMA.

Also:

By Reps. Marietta, Zoghby, Harper, Gaston, Box, Kvalheim, Buskey (JE), Kennedy, Clark (W), and Turner:

H. J. R. 282. COMMENDING JAMES L. BUSBY OF MOBILE, ALABAMA.

Also:

By Reps. Seibels, Johnson (RW), Adams, Albright, Bachus, Beasley, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Drake, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Johnson (RG), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Newton, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell,



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Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby:

**H. J. R. 268. COMMENDING MITCH STRICKLAND OF TUSCALOOSA, ALABAMA, FOR OUTSTANDING ACCOMPLISHMENT.**

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator deGraffenried, the Rules were suspended and the Resolutions, H. J. R.'s 266, 274, 281, and 268, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

On motion of Senator Hilliard, the Rules were suspended and the Resolution, H. J. R. 282, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Escott, McNair, Boles, Bachus, Beers, Biddle, Davis, Gray, McDowell, Newton, Payne, Perdue, Pratt, Rogers, Seibels, Spratt, Trammell, and White (G):

**H. J. R. 270. COMMENDING THE JEFFERSON COUNTY RETIRED SENIOR VOLUNTEER PROGRAM.**

Also:

By Reps. Buskey (JE), Clark (W), Harper, Gaston, Box, Zoghby, Turner, Kennedy, Kvalheim, and Marietta:

**H. J. R. 271. COMMENDING THE LEFLORE HIGH SCHOOL RATTLERS AND ITS COACH, JOHNNY SHELWOOD, OF MOBILE, ALABAMA FOR WINNING THE ALABAMA HIGH SCHOOL BASKETBALL CHAMPIONSHIP.**

Also:

By Reps. Blake, Adams, Albright, Bachus, Beasley, Beers, Biddle, Black, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Drake, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Newton, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas,

Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby:

H. J. R. 272. COMMENDING LEIGH ANN SIMPSON OF ASHVILLE, ALABAMA, ON BEING ELECTED PRESIDENT OF THE ALABAMA 4-H COUNCIL.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator deGraffenried, the Rules were suspended and the Resolutions, H. J. R.'s 270, 271, and 272, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Bugg (With Notice and Proof):

H. 19. To authorize the Etowah County Board of Health to designate the services rendered by the Etowah County Health Department for which a reasonable fee may be charged and to set and collect fees for each service.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 19, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Nicholson (With Notice and Proof):

H. 532. Relating to Walker County; to amend Act 83-428, Senate Bill 355, Regular Session, 1983 (Acts of Alabama, 1983, Volume 1, pages 607-608) so as to provide the Walker County Board of Education the authority to establish the salary of the Superintendent of Education of Walker County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 532, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Thomas (With Notice and Proof):

H. 617. Relating to Lowndes County; providing for a chief clerk and clerk for the probate judge; and prescribing the duties and setting the salaries for such clerks; providing for the hiring of a part-time clerk; repealing Act No. 119, H. 115, of the 1978 Special Session (Acts 1978, p. 1835), Act No. 316, H. 719, of the 1939 Regular Session (Acts 1939, p. 205) and Act No. 40, H. 215 of the 1951 Regular Session (Acts 1951, p. 248).

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I hereby certify that the Notice & Proof is attached to the Bill, H. B. 617, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Thomas (With Notice and Proof):

H. 618. Relating to Lowndes County; suspending the implementation of the provisions of Act No. 85-740, H. 900, 1985 Regular Session, as amended by Act No. 85-827, S. 150, 1985 2nd Special Session, until January 1, 1987.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 618, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Onderdonk and Blakeney (With Notice and Proof):

H. 656. Relating to Clarke County; providing for the appointment of the county superintendent of education; providing for a referendum on the question of whether the electors of the county favor the appointment of the county superintendent of education.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 656, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. White (L) (With Notice and Proof):

H. 659. To authorize the Tallapoosa County Board of Health to designate the services rendered by the Tallapoosa County Health Department for which a reasonable fee may be charged; to provide that the Tallapoosa County Board of Health shall be required to set a maximum fee for each service; to provide that the Tallapoosa County Health Department may charge and collect such fees; to provide that no citizen shall be deprived of any service because that person is unable to pay; and to provide for the allocation of all fees collected.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 659, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. White (L) (With Notice and Proof):

H. 660. Relating to Tallapoosa County; providing certain additional compensation for the members of the board of registrars for the duration of voter reassignment and providing for retroactive effect.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 660, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 19, 532, 617, 618, 656, 659, and 660—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Boles, Payne, Trammell, Biddle, White (G), Pratt, Reed, Gray, Moore, Seibels, Perdue, Escott, Newton, Spratt, Albright, Beers, Bachus, McNair, McDowell, Davis, Rogers, Turner, Harper, Gaston, Lauderdale, Kvalheim, McMillan, Hettinger, Penry, Blake, Coleman, Buskey (John), Lindsey, Cosby, Faulk, Butler, Beasley, Carothers, Johnson (RG), Mathis, Grouby, Laird, Hammett, Starr, Adams, Bugg, Martin, Newman, Rice, Britnell, White (L), Fuller, Zoghby, Turnham, Venable, Mitchell, Bowling, Crow, Smith, Campbell, Burke, Richardson, Junkins, Starkey, Clark (D), and Carter:

H. 271. To grant tax exemptions for the benefit of certain air carriers; to exempt from the tax levied by Article 6 of Chapter 3 of Title 28 of the Code of Alabama 1975 on the sale of spirituous or vinous liquors certain sales of spirituous or vinous liquors to a certificated or licensed air carrier with "a hub operation within this state," as herein defined; to amend Section 40-9-1, Code of Alabama 1975, by adding subdivision (24) to exempt from ad valorem tax all aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-12-223, Code of Alabama 1975, by adding subdivision (13) to exempt from rental tax the gross proceeds accruing from the leasing or rental of aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-14-41, Code of Alabama 1975, by adding subdivision (d)(2)(E) to provide for a deduction from the amount of capital employed in the state for purposes of computing the franchise tax applicable to foreign corporations the amount invested by the taxpayer in all real and personal property, equipment, facilities, structures and components thereof including all aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-17-31, Code of Alabama 1975, by adding subdivision (d)(4) to

exempt from excise tax gasoline or other fuel used to propel aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-4, Code of Alabama 1975, by adding subdivision (40) to exempt from sales tax the gross receipts from the sale of aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-4 by adding subdivision (41) to exempt from sales tax the gross receipts from the sale of hot or cold food and beverage products sold to or by a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-62, Code of Alabama 1975, by adding subdivision (32) to exempt from use tax the storage, use or other consumption of any aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; and to further amend Section 40-23-62, Code of Alabama 1975, by adding subdivision (33) to exempt from used tax the storage, use or other consumption of hot or cold food and beverage products sold to or by a certificated or licensed air carrier with a hub operation within this state.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 271—to the Committee on Buildings and Grounds

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Mitchell (With Notice and Proof):

H. 662. Relating to Pickens County, providing further for the procedure for selling and redeeming lands for taxes.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 662, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Mitchell (With Notice and Proof):

H. 663. Relating to Pickens County; providing further for the expense allowance and salary of the county coroner.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 663, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 662 and 663—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Bugg and Junkins:

H. 346. Proposing an amendment to the Constitution of Alabama of 1901 to prohibit annexation of territory within Etowah County by municipalities outside of the county without a vote of the people of Etowah County.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 346—to the Committee on Local Legislation No. 1

(The above Bill was read a first time at length as required by the Constitution.)

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Campbell:

H. 196. Relating to "The Lifesaving Organ Procurement Act of 1986", to state the Legislative intent; to define the word "organ" and "attending physician", to better provide for the public health by providing that on the occurrence of death of a patient in a hospital, who has not made an anatomical gift to take place upon death, the hospital administrator, or designated representative to request, of specified survivors, in accordance with Section 22-19-42 (b), Code of Alabama, 1975, in the order of priority stated, and when persons in prior classes are not available at the time of death, and in

the absence of actual notice to the contrary by the decedent or one in a prior class, to consent to the gift of organs of the decedent's body; to provide such request and its disposition shall be noted in the patient's medical record; to provide, where, based upon medical criteria that such a request would not yield an anatomical gift which would be suitable for use, or, where, based upon the special and peculiar knowledge of the attending physician and/or concerning the circumstances surrounding the death of the patient, there is an exception to the request required by this Article and such determination shall be noted in the patient's medical record; to provide for immunity from civil damages or criminal prosecution to any person who acts in good faith accord; and to provide that the provisions of this Article are cumulative and, insofar as possible, shall be construed in pari materia with other laws relating to the public health and anatomical gifts.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 196—to the Committee on Health and Welfare

### MESSAGE FROM THE GOVERNOR

To the Alabama Senate and House of Representatives  
The Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I transmit herewith a Message from Governor George C. Wallace.

Done this the 25th day of February 1986.

Respectfully submitted,

Elvin Stanton,  
Executive Secretary.

Ladies and Gentlemen of the Legislature:

I am asking you to give favorable and expeditious consideration to those revenue measures I outlined to you last week. As most of you recognize, the funding problems we face are real, and they are severe. Failure to provide this revenue will result in an immediate shutdown of services affecting the truly needy, the mentally ill, the handicapped, and the unfortunate children of this state.

As I promised you last Thursday, I will do all that I can to curtail any expenditures that are not absolutely necessary. Already I have taken action to severely restrict out of state travel. I also will see to it that in those departments under my control new state employees are not hired where they are not truly needed, and that automobiles will not be purchased except in those cases where they are absolutely necessary to meet the required level of state services.

At the same time, I ask that you not be distracted by a smokescreen put up by a handful of detractors in both houses who never have come

forward with a meaningful solution to any state problem but seek to make a political career of bickering and fault-finding. They would point to erroneous news reports and claim there is enough waste in excess state employment and travel to pay for these essential human services. Such claims are ridiculous!

For example, these detractors stated that in the last three years the number of state vehicles had increased by more than 900, and they called them "new cars" that had been bought by the state. What they did not bother to point out is the fact that according to the State Forestry Department, 274 of that number represent federal surplus fire fighting equipment that was obtained by the Forestry Commission from the federal government and given to such agencies as community volunteer fire departments, at no cost to the state. Another 136 of those so-called "new cars" turned out, according to the State Auditor's report, to be vans and other such equipment, some of them over 10 years old, that were bought by federal Title Twenty Funds by the Department of Pensions and Security years ago but were only recently added to the inventory by the state auditors. And then, this State Auditor's report shows that 317 of those automobiles listed turned out to be old cars that are worn out and have been turned in to the sale lot to be disposed of or sold for junk, but have not been removed from the Auditor's inventory.

There have been some legitimate automobile increases, such as the 128 in the Department of Corrections and 13 in the Revenue Department just as there have been legitimate increases in state employees for such purposes as staffing new prisons and mental health facilities and in the Highway Department where we have underway the biggest highway program in the history of Alabama, and one of the best in the nation. Nearly all of the significant employee increases have gone to these three areas of Corrections, Highway and Mental Health.

According to the latest figures furnished my office this week by Dr. Halycon Ballard of the Personnel Department, we had 30,265 state employees in 1983, and we now have 32,190 or an increase of 1,925. Corrections has 554 of them so that they could open and staff the West Jefferson, Limestone and St. Clair prison facilities and increase the capacity of other facilities. The Highway Department has 346 regular employees plus most of the 451 increased laborers all of whom were needed to replace state forces; engineers and workers who can handle many smaller projects such as widening of highways and roadway repair at sometime half the cost of putting such projects out on contract. Even with these additional employees it is still not enough and we sometime have to pay overtime to get these projects underway so that we will not lose federal highway funds. The Mental Health Department accounted for 199 of the increase and these employees were needed to staff The Glen Ireland Center and the expansion of Tarwater and Wetumpka and the Secure Medical Facility in Tuscaloosa to comply with federal court orders. Youth Services accounted for 71 employees who were needed to open three new units and increase their bed capacity. The Revenue Department accounted for 140 of the increase and these were needed to implement Commissioner Jim White's Collection Enforcement Program which has resulted in the increased collections of revenue in the amount of \$162 million in 1984, and 1985. Another 133 of the increase was in the Public Health Department which, of course, does not come under the Governor's Office, but Dr. Myers can certainly vouch for their necessity. That accounts for all but 31 of the total increase in employees since 1983, just in those departments alone.



I keep seeing figures bounced about like 2,432 new state cars and 2,773 increase in employees. I don't know where these figures come from but our figures on state cars come directly from the State Auditor's report and the employment figures are the latest available from Dr. Ballard of the Personnel Department, which are from last December, compared to the same time period of 1983.

Yes, the state could save money by not staffing the new prisons, if you want to turn loose the criminals on the people of Alabama.

We could stop building highways and save the money it took to put back together a workable Highway Department and try to replace competent engineers and laborers that a previous administration released, which nearly dismantled the Highway Department and turned highway building over to much more costly private enterprise.

We could save millions of dollars by closing Mental Health facilities and turning our backs on those who are so deserving of special care and treatment.

I know that you in the legislature recognize the increasing cost of operating all areas of state government as you have experienced this yourself. For example, the personnel cost for the legislature has increased from \$5.7 million the year you took office to \$6.4 million the second year, to \$7.6 million last year and this does not include \$4.3 million of personnel cost involved in moving into the new building.

But I don't think you want to cut out any of these essential state services, and I don't think you want to close down day care centers or other necessary care for needy children, our poor, elderly, blind, disabled and mentally retarded.

If we close down these services, then the people of Alabama will be looking for a lot of answers from all of us who may at that time be involved in running for public office.

Thank you.

Which was read and spread upon the Journal.

## REPORTS OF COMMITTEES

Senator Parsons, Chairperson of the Standing Committee on Education, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Foshee:

S. 173. To establish the fiscal year, only for purposes of state appropriations, for each and every public education entity or public institution, whether state, county or municipal, including but not limited to each city and county school board of education, K through 12 public schools, technical and trade schools and institutions and two-year colleges, state colleges and universities and any other public institution of higher education; to authorize the appropriate public officers to make the necessary accounting procedures and to establish regulations therefor; to repeal conflicting laws only to the extent there is a direct conflict herewith.

By Senator Corbett:

S. 413. To establish a statewide grievance procedure for certain educational personnel, providing for hearings, appeals, procedures, and due process.

By Senator Bennett:

S. 442. To amend Section 16-52-3 Code of Alabama 1975, which relates to the board of trustees for Jacksonville State University so as to add one member at-large to the board of trustees and to provide that the board of trustees shall be divided into three classes.

By Senator Langford:

S. 522. To amend Section 16-50-20, Code of Alabama 1975, as amended, so as to enlarge the membership of the Alabama State University Board of Trustees, prescribe the qualifications, balance, terms of office and appointment; to provide that no current member may be removed as a result of this bill, but allows the governor to redesignate the respective terms of office to conform to the staggered terms.

By Senator Aldridge:

S. 535. Relating to children enrolled in public schools of this state, grades K through 8; to require schools to make a reasonable attempt to notify parents or custodial guardians of unauthorized absences; to require the parent or custodial guardian to furnish the school system one or two telephone numbers at the time of student enrollment; to provide a procedure to satisfy the school reporting requirements; and to exempt school personnel from civil liability for good faith effort to notify.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator deGraffenried (With Notice and Proof):

S. 540. Relating to Tuscaloosa County and the Firemen's and Policemen's Pension and Relief Fund for the City of Tuscaloosa; further amending Sections 2, 4, 8, 9 and 10 of Act No. 328, H. 854 Regular Session 1959 (Acts 1959, p. 907), as last amended, which provide for the composition of the Board of Trustees and the conduct of its business, so as to provide further for the membership of such board and the manner of electing certain members of such board and the manner of conducting its business, and certain of the functions of the Secretary of the Board.

By Senator Drinkard (With Notice and Proof):

S. 546. To amend Act No. 61, Acts of the Legislature, 1971, which created and established the Etowah County Solid Waste and Park and Recreation Authority.

By Senator Mitchem (With Notice and Proof):

S. 548. Relating to Marshall County; to amend Section IV of Act No. 1899, S. 953, 1971 Regular Session (Acts 1971, p. 3088), entitled, "An Act Relating to Marshall County; to require the use of voting machines at all polling places; to permit electors to register to vote on any voting machine

at the designated voting place; to permit the consolidation of polling places; to provide for employment of a custodian of voting machines, how appointed, qualifications, salary, bond; to allow candidates in an election the right to designate a representative to be present at the opening of each voting machine for tabulation of results; candidates to have right to demand in writing of body in charge of ballot boxes to break seals for recanvass of votes in voting machines," so as to increase the salary of the custodian of voting machines.

By Senator Barron (With Notice and Proof):

S. 552. Relating to DeKalb County, repealing Act No. 449, S. 589, 1973 Regular Session, which provides that house trailers must have identification tags.

By Senator Hand (With Notice and Proof):

S. 554. To provide for the filing for record and the preservation of all orders and decrees made and entered by any Judge of the Circuit Court of the 28th Judicial Circuit.

By Senator Bedford (With Notice and Proof):

S. 561. To amend the title and Section 1 of Act No. 82-317, H. 793 of the 1982 Regular Session (Acts 1982, p. 429) relating to allocation and distribution of certain oil and gas privilege tax revenues accruing to Fayette County or any municipality therein, so as to provide further for such allocation and distribution.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Reps. Coleman and Rains (With Notice and Proof) (With Amendment):

H. 364. Relating to Marshall County; requiring all lodging facilities located in Lake Guntersville State Park to collect certain lodgings taxes as provided by law.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Flowers (With Notice and Proof):

H. 524. Relating to Pike County; to provide for the election of members of the county commission; to adopt new districts; and to repeal all conflicting laws.

By Reps. Hooper, McKee, Starr, Buskey (JL), Mikell, and Holmes (With Notice and Proof):

H. 538. To authorize the City of Montgomery, Montgomery County, Alabama, to establish an Enterprise Zone in the area of pervasive poverty, unemployment and economic distress and to carry out programs to encourage private investment and to create jobs in such areas, and to authorize agencies of such city, the county governing body and state and county agencies to carry out similar programs in such Enterprise Zone, including, but not limited

to, reduction of tax rates, license rates and fees, improvement of public services and reduction and modification of regulatory requirements within such zone, and to provide other services and to modify other requirements as may be necessary or desirable to qualify for financial assistance to such city or private entities within such zone under any Act of the Congress of the United States heretofore or hereafter enacted.

By Rep. Sasser (With Notice and Proof):

H. 555. To authorize the Dale County Board of Health to fix a schedule of fees for services rendered pursuant to the duties with which the Board is charged and to provide for the approval of such fee schedule by the County Board of Health of Dale County.

By Rep. Carter (With Notice and Proof):

H. 571. To provide for the filing for record and the preservation of all orders and decrees made and entered by any Judge of the Circuit Court of the 39th Judicial Circuit.

By Rep. Faulk (With Notice and Proof):

H. 577. To authorize the governing body of Butler County, Alabama, to levy and collect special county privilege and license taxes, paralleling the state sales taxes provided for in Division 1 of Article 1 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, and special county excise taxes paralleling the state use taxes provided for in Article 2 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, upon approval of the electors of the county at an advisory referendum; to specify the rates at which such taxes may be levied; to provide for the ascertainment, collection, payment, and distribution and use of the proceeds of the said taxes if levied by the said governing body; to provide for the enforcement of this act by the State Department of Revenue; and to provide for an election to determine if a majority of the electors voting at said election favor authorizing the governing body to levy such taxes.

By Rep. Sasser (With Notice and Proof):

H. 578. To further authorize and provide for the establishment, maintenance, operation, and financing of a public law library in Dale County, Alabama.

By Reps. Starr, Hooper, McKee, Mikell, Buskey (JL), and Holmes (With Notice and Proof):

H. 594. Relating to Montgomery County; to establish a Retired Employees' Death Benefit Fund on behalf of the retired members of the Montgomery County Retirement System; provide for claims; provide for funding and provide for beneficiary changes associated with the Death Benefit Fund.

By Rep. Beasley (With Notice and Proof):

H. 597. Relating to Henry County; providing for an expense allowance for the County Superintendent of Education; repealing Act No. 81-262, H. 643 (Acts 1981, p. 343); and providing for its retroactive effect.

By Reps. Fuller and Laird (With Notice and Proof):

H. 600. Relating to Chambers County; to require the installation and maintenance of an improved system of indexing documents affecting the title to property and other documents recorded in the office of the Judge of

Probate; to provide the collection and disposition of a special indexing fee; and to provide that said system shall constitute official and permanent records in Chambers County.

By Reps. Bowling and Drake (With Notice and Proof):

H. 628. To alter, rearrange and extend the boundary lines and corporate limits of the City of Cullman, in Cullman County.

By Reps. Rice and Turnham (With Notice and Proof):

H. 643. Relating to Lee County, to provide further for a pistol permit fee in said county and the disposition and use of the proceeds of said fee, and to specifically repeal Act 972, H. 1407, Regular Session 1969 (Acts 1969, p. 1718), as amended.

### RESOLUTIONS

Senators Goodwin, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Hand, Hilliard, Holmes, Horn, Langford, Little, Menton, Mitchem, Parsons, Sanders, Smith (B), Smith (J), Strong and Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 215. MOURNING THE DEATH OF FREDERICK HOWARD DAVIS OF BRENT, ALABAMA.

WHEREAS, it is with deep sadness and regret that the Legislature of Alabama records the death of Frederick Howard Davis of Brent, Alabama, on February 20, 1985, at the age of 70 years; and

WHEREAS, a descendant of Colonial settlers of Virginia and a native of Johnson County, Georgia, Mr. Davis was educated in the public schools of Wrightsville, Georgia, studied law and was admitted to the Georgia bar in 1940, the same year of his election as Councilman for the Town of Wrightsville; and

WHEREAS, Mr. Davis, who was a United States Army veteran of World War II, served with the Corps of Engineers from 1942-1946 and was discharged with the rank of Captain and as the recipient of a number of field decorations and combat medals; he also served as a Colonel with the State Militia during the administration of Governor John Patterson; and

WHEREAS, as a longtime resident of the State of Alabama, Mr. Davis continued in distinguished public service and in such prestigious capacities as delegate to the 1960 National Democratic Convention; as Mayor of the City of Brent, Alabama, 1962-1966; as a member of the Alabama House of Representatives also from 1962-1966; and as Judge of Probate for Bibb County from 1971 to 1975; and

WHEREAS, Judge Davis also was a highly successful businessman whose interests involved investment brokering, real estate development, retail merchandising, industrial development, among others; and

WHEREAS, his involvements extended further to include local and/or statewide leadership in such areas as the Industrial Development Board of West Alabama, T. B. Association, State Committee on Aging, March of Dimes, Red Cross and the Cancer Society; he also served as Commander of American Legion Post #128 and was a member of the Veterans of Foreign

Wars, Elks Club, Moose Club, Civitan Club, Shriners, Masons, Lions Club and the Baptist Church; and

WHEREAS, as an exemplary public servant and civic leader, Judge Davis was honored on numerous occasions with such distinctions as 1965 Man of the Year, and he was the recipient of many certificates of appreciation and honorary designations in recognition of outstanding service to his community, state and nation; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That even as we mourn, we give thanks for the life and service of Frederick Howard Davis of Brent, Alabama, and direct that copies of this resolution of condolence be forwarded to his family whose great loss is shared by us all.

On motion of Senator Goodwin, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Little offered the following Senate Resolutions, to-wit:

S. R. 216. COMMENDING DR. MARK E. MEADOWS OF AUBURN UNIVERSITY.

Also:

S. R. 217. COMMENDING JERRY F. SMITH, EXECUTIVE DIRECTOR OF AUBURN UNIVERSITY'S ALUMNI AND DEVELOPMENT OFFICE.

Which were filed.

Senators deGraffenried, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Horn, Langford, Little, Menton, Mitchem, Parsons, Sanders, Smith (B), Smith (J), Strong and Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 218. MOURNING THE DEATH OF PRIME FRANCIS OSBORN, III.

WHEREAS, the Legislature of Alabama grievously records the death of Prime Francis Osborn, III, a native of Greensboro, Alabama, on January 4, 1986, at the age of 70 years; and

WHEREAS, a graduate of the University of Alabama where he earned the Juris Doctor degree in 1939, Mr. Osborn served as Assistant Attorney General, State of Alabama, from 1939 until 1941, at which time he entered the United States Army as a 2nd Lieutenant; he served with valor and distinction in the Pacific Theatre and was awarded the American Theatre Medal, Victory Medal, American Defense Medal, Pacific Theatre Medal with two stars, the Army Commendation Medal and the Bronze Star; and

WHEREAS, Mr. Osborn, from 1946 to 1972, served successively as an attorney with GM&O Railroad in Mobile; General Solicitor for the L&N Railroad at Louisville, Kentucky; as Vice President and General Counsel for the Atlantic Coastline Railroad in Wilmington, North Carolina, and in Jacksonville, Florida; and as Vice President-lawyer, then President of Seaboard Coastline Railroad in Jacksonville; and

WHEREAS, he later served as President and Chairman of the Board of the Seaboard Coastline and L&N Railroad, and also as Director, Vice President or President of several connecting railroads; and

WHEREAS, Prime Francis Osborn, III, was inducted into the Alabama Academy of Honor in 1982 and the Alabama Business Hall of Fame in 1983; he further was a member of Who's Who in the World, received the Henry and Julia Tutwiler Award in 1985 for service and contributions to the University of Alabama, and was given the honorary LL.D. degree from the University of Alabama (1970) and Florida Southern College (1982); and

WHEREAS, he was a member of the boards of directors of more than 16 companies and retired while serving as Chairman of the Board of CSX Corporation, Jacksonville, Florida; and

WHEREAS, in civic and community responsibility, Mr. Osborn also was tremendously active and supportive of the Boy Scouts of America, the Salvation Army and the Episcopal Church; and

WHEREAS, in the death of Prime Francis Osborn, III, the State of Alabama has lost a beloved native son, but our state and nation have been infinitely better for his lifetime of service and achievement in the areas of business, education, the military, and in civic and community affairs for the betterment of youth and all humankind; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are grievously saddened by the death of Prime Francis Osborn, III, and extend our deepest and heartfelt sympathy to his wife and children, Mrs. Grace Hambrick Osborn, Miss Mary Anne Osborn and Commander Prime Francis Osborn, IV, and other family members whose great sorrow also is ours, and for whom a copy of this resolution shall be provided.

On motion of Senator deGraffenried, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Parsons offered the following Senate Joint Resolution, to-wit:

S. J. R. 219. EXPRESSING LEGISLATIVE INTENT REGARDING THE EXEMPTION OF PRESCRIPTION DRUGS FOR PERSONS 65 YEARS OF AGE OR OLDER FROM TAXATION.

Whereas the Legislature in 1972 passed Act No. 176, 3rd Special Session 1971, codified at Section 40-23-4(30) of the Code of Alabama 1975; and

Whereas this Act was interpreted and applied to provide that all prescription drugs for persons over 65 years of age were exempt from sales tax; and

Whereas the Legislature later passed Act No. 81-663 now codified in Section 40-23-4.1 of the Code of Alabama 1975; and

Whereas the Legislature later passed Act No. 85-60 and Act No. 85-952 which were joint resolutions of the Legislature expressing Legislative intent; and

Whereas the Legislature now desires to clarify such intent as to said Act No. 176; now therefore;

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Legislature expressly declares that it intended all prescription drugs prescribed by a physician for persons 65 years of age or older and filled by a licensed pharmacist to be exempt from all sales tax regardless of where such drugs are purchased or sold as long as such drugs are for the use of a person 65 years of age or older.

On motion of Senator Parsons, the Rules were suspended and the Resolution was adopted by the Senate.

Senator deGraffenried offered the following Senate Joint Resolution, to-wit:

S. J. R. 220. CREATING A SELECT COMMITTEE TO STUDY THE EFFECTS OF THE GRAMM-RUDMAN ACT.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a select committee to study the long range effects of the Gramm-Rudman Act on state, county and municipal governmental affairs. The committee shall be appointed by the Governor. One member shall be appointed from each of the following professions or areas: business, labor, school teachers, school boards, higher education, county commissioners, municipal officials, mental health officials, medicaid, the state highway department, the state department of youth services and the state department of pensions and security, The Chairman of The Senate Finance & Taxation Committee and The Chairman of The House Ways and Means Committee.

Members of the select committee shall serve without pay. The Clerk of the House of Representatives and the Secretary of the Senate shall provide clerical help to said committee and all state departments and agencies shall provide technical assistance to the committee. The committee shall submit a report to the 1987 organizational session of the legislature.

On motion of Senator deGraffenried, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Barron offered the following Senate Resolutions, to-wit:

S. R. 221. MOURNING THE DEATH OF MRS. JANE HODGE GRAHAM OF SCOTTSBORO, ALABAMA.

Also:

S. R. 222. COMMENDING AND CONGRATULATING THE FYFFE HIGH SCHOOL LADY RED DEVILS BASKETBALL TEAM ON WINNING THE STATE 2A GIRLS BASKETBALL CHAMPIONSHIP.

Also:

S. R. 223. COMMENDING MARY CLEMENS OF JACKSON COUNTY, ALABAMA, AS A DISTINGUISHED SCIENCE TEACHER AT PISGAH HIGH SCHOOL.

Which were filed.

Senators Barron and Bedford offered the following Senate Joint Resolution, to-wit:

S. J. R. 224. CREATING A LEGISLATIVE COMMITTEE TO STUDY THE LIMESTONE COUNTY PRISON.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created the Limestone County Prison Study Committee. The committee shall be composed of four members of the House of Representatives appointed by the Speaker of the House and four members of the Senate appointed by the Lieutenant Governor. Each member of the committee shall be entitled to



his regular legislative compensation, per diem and travel expenses for each day he attends or is traveling to or from a meeting of the committee which shall be paid out of the funds appropriated to the use of the Legislature on warrants drawn on the State Comptroller upon requisition signed by the Committee's Chairman. Provided, that members shall not receive additional legislative compensation or per diem when the Legislature is in session.

The committee shall investigate the quality of construction of the Limestone County prison and the effect of said constructions on prison security. The Secretary of the Senate shall provide clerical assistance to the committee and the Department of Corrections shall provide technical assistance.

The committee shall dissolve on November 1, 1986, and on that date the committee shall file a report of its findings with the Clerk of the House of Representatives and the Secretary of the Senate.

On motion of Senator Barron, the Rules were suspended and the Resolution was adopted by the Senate.

### MOTIONS IN WRITING

Senators deGraffenried and Cabaniss offered the following Motion in Writing, to-wit:

#### MOTION IN WRITING

Notice in writing having been given on the previous legislative day, motion is now made to amend the Senate Rules as follows:

Delete in its entirety the present Rule 19 and insert in lieu thereof the following:

"Rule 19. When a question is under debate, no motion shall be received but: (1) to adjourn, (2) to adjourn to a day certain, (3) to lay on the table, (4) to postpone indefinitely, (5) to postpone to a day certain, (6) to commit, or (7) to amend, which several motions shall have precedence in the order they stand arranged. The motions to adjourn and to adjourn to a day certain shall always be in order and shall be decided without debate. The motion to lay on the table shall be in order upon completion of debate as provided for in Rule 41 of the Senate Rules and said motion to lay on the table shall be decided without debate."

Which was read and referred to the Standing Committee on Rules.

Senators deGraffenried and Cabaniss then offered the following Motion in Writing, to-wit:

#### MOTION IN WRITING

Notice in Writing having been given on the previous legislative day, motion is now made to amend the Senate Rules as follows:

Delete in its entirety the present Rule 41 and insert in lieu thereof the following:

"Rule 41. No member shall speak more than twice on any question under debate and none shall, without leave of the Senate, speak for more than one hour at each time. The right to speak shall not be abrogated by any means other than the invocation of Rule 21. The originator of the pending question, or the chairperson of the committee reporting the measure,

shall have the right to conclude the debate, which right cannot be cut off by motion to table. The originator of the pending question shall have precedence."

Which was read and referred to the Standing Committee on Rules.

### BUDGET ISOLATION RESOLUTION

Senator Cooley, B. I. R., S. B. 345, adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Little	
Aldridge	deGraffenried	Goodwin	Menton	
Barron	Denton	Hilliard	Parsons	
Bedsole	Ellis	Holmes	Smith (B)	
Bennett	Figures	Langford	Teague	
Bishop				—20

*Nays:*

—0

### BILLS ON THIRD READING

#### THE BILL:

S. 345. To amend section 35-11-371 of the Code of Alabama 1975 relating to the perfection of a lien for charges for hospital services so as to provide further for perfecting such lien by extending the time for filing and changing the place of filing.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Bennett	Figures	Menton	
Aldridge	Covington	Goodwin	Mitchem	
Barron	deGraffenried	Holmes	Sanders	
Bedford	Denton	Langford	Teague	
Bedsole	Ellis	Little		—18

*Nays:*

—0

### BUDGET ISOLATION RESOLUTION

Senator Bennett, B. I. R., S. B. 205, adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Little	
Aldridge	Corbett	Goodwin	Menton	
Barron	Covington	Holmes	Mitchem	
Bedford	deGraffenried	Horn	Sanders	
Bedsole	Denton	Langford	Teague	
Bennett				—20

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 205. To amend Section 40-9-19, Code of Alabama, 1975, as previously amended, so as to define the types of local school taxes subject to the homestead exemption; and to provide an effective date for the Act.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Bennett	Ellis	Langford	
Aldridge	Corbett	Figures	Little	
Barron	Covington	Foshee	Menton	
Bedford	deGraffenried	Goodwin	Sanders	
Bedsole	Denton	Holmes	Teague	—19

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Strong, B. I. R., S. B. 127, adopted.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Bennett	Ellis	Langford	
Aldridge	Corbett	Figures	Little	
Barron	Covington	Foshee	Menton	
Bedford	deGraffenried	Goodwin	Sanders	
Bedsole	Denton	Holmes	Teague	—19

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 127. To abolish any zoning law, ordinance or regulation which prohibits mentally retarded or mentally ill persons from living in a natural residential environment zoned "multi family" as it appears in zoning laws or ordinances so as not to exclude certain groupings of mentally retarded or mentally ill persons.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Abstaining 1.

*Yeas:*

Senators:	Bennett	Denton	Langford	
Aldridge	Cooley	Ellis	Menton	
Barron	Corbett	Foshee	Sanders	
Bedford	Covington	Goodwin	Teague	
Bedsole	deGraffenried	Holmes		—18

*Nays:* —0

*Abstaining:* Senator Little —1

**BUDGET ISOLATION RESOLUTION**

Senator Bedford, B. I. R., S. B. 213, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Bedsole	deGraffenried	Little	
Aldridge	Bennett	Denton	Menton	
Amari	Cooley	Ellis	Sanders	
Barron	Corbett	Foshee	Teague	
Bedford	Covington	Horn		—18

<i>Nays:</i>				—0
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**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 213. To require public officers and employees and certain other persons who have any financial interest in any commercial hazardous waste disposal site in the State of Alabama to file an annual statement of such financial interest with the Secretary of State and to provide penalties for the noncompliance with this Act.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Bennett	Denton	Menton	
Aldridge	Cooley	Ellis	Sanders	
Barron	Corbett	Foshee	Strong	
Bedford	Covington	Horn	Teague	
Bedsole	deGraffenried	Little		—18

<i>Nays:</i>				—0
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**BUDGET ISOLATION RESOLUTION**

Senator Denton, B. I. R., S. B. 532, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedsole	Dixon	Horn	Strong	
Bennett	Ellis	Little	Teague	
Cabaniss	Figures			—25

<i>Nays:</i>				—0
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**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 532. To authorize the governing body of any Class 7 municipality operating under a commission form of government and organized pursuant to Sections 11-44-1 through 11-44-57 inclusive, Code of Alabama 1975, as amended, to adopt an ordinance to designate the places and responsibilities of the commissioners of such municipality; to require candidates desiring to run for a place on the commission to qualify for election to the designated place in which they desire to serve; and to prohibit further changes by ordinance once the designations have been made but, on the contrary, to require such additional changes to be authorized by legislative act.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedsole	Dixon	Horn	Strong
Bennett	Ellis	Little	Teague
Cabaniss	Figures		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Denton, B. I. R., S. B. 515, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedsole	Dixon	Horn	Strong
Bennett	Ellis	Little	Teague
Cabaniss	Figures		

—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 515. Relating to Colbert County and its municipalities for the purpose of said county and municipalities joining with Lauderdale County and its municipalities, for the purpose of forming a Shoals Industrial Development Authority for promoting industry and trade and the development of said counties and cities; to provide for the organization, powers, functions, duties and personnel of such authority, and for the payment of expenses of the authority and for the compensation of its employees.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedsole	Dixon	Horn	Strong	
Bennett	Ellis	Little	Teague	
Cabaniss	Figures			—25

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

Senator Teague, B. I. R., H. B. 661, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedsole	Dixon	Horn	Strong	
Bennett	Ellis	Little	Teague	
Cabaniss	Figures			—25

*Nays:* —0

### BILLS ON THIRD READING RESUMED

#### THE BILL:

H. 661. Relating to Talladega County; providing further for banking business within said county; authorizing any bank which moves its principal offices from the county, into another county, to continue operations in Talladega County as a branch so as to not cause a hardship to its customers.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedsole	Dixon	Horn	Strong	
Bennett	Ellis	Little	Teague	
Cabaniss	Figures			—25

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

Senator Langford, B. I. R., S. B. 34, adopted.

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Yeas 18; Nays 0.

*Yeas:*

Senators:	Bishop	Denton	Menton	
Aldridge	Cooley	Foshee	Parsons	
Bailey	Corbett	Goodwin	Strong	
Barron	Covington	Langford	Teague	
Bedsole	deGraffenried	Little		—18

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 34. To amend Sections 11-46-92, 11-46-93, 11-46-96, 11-46-97, 11-46-98, 11-46-107, 11-46-111, and 11-46-122, Code of Alabama 1975, so as to establish the dates of municipal elections in certain cities or towns having commission form of government and to establish dates and other procedures required in connection with such elections.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Bedsole	Foshee	Parsons	
Aldridge	Cabaniss	Goodwin	Sanders	
Amari	Covington	Langford	Strong	
Bailey	deGraffenried	Little	Teague	
Barron	Ellis	Menton		—18

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Langford, B. I. R., S. B. 68, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Bennett	Ellis	Parsons	
Aldridge	Cooley	Foshee	Sanders	
Bailey	Covington	Langford	Strong	
Barron	deGraffenried	Little	Teague	
Bedsole	Dixon	Menton		—18

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 68. To provide that full-time employees and executive officers of the Alabama Opportunities Industrialization Center may elect to become members of the teachers' retirement system of Alabama; also to provide that said Center and its employees shall assume all costs, both contributory and administrative; and no cost shall devolve upon the State.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Menton	
Aldridge	Cooley	Goodwin	Sanders	
Bailey	Covington	Holmes	Strong	
Bedsole	deGraffenried	Langford	Teague	
Bennett	Dixon	Little		—18

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

Senator Bedsole, B. I. R., S. B. 124, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Bennett	Foshee	Menton	
Aldridge	Cabaniss	Goodwin	Sanders	
Bailey	Cooley	Holmes	Strong	
Barron	Covington	Langford	Teague	
Bedsole	deGraffenried	Little		—18

*Nays:* —0

### BILLS ON THIRD READING RESUMED

#### THE BILL:

S. 124. To permit local boards of education and the Alabama Institute for Deaf and Blind to use a part of their kindergarten teacher unit funds under certain conditions to employ teacher aides to assist with the kindergarten instructional program based upon criteria established by the state superintendent of education and with his prior approval.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Bennett	Foshee	Menton	
Aldridge	Cabaniss	Goodwin	Sanders	
Bailey	Cooley	Holmes	Strong	
Barron	Covington	Langford	Teague	
Bedsole	deGraffenried	Little		—18

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

Senator Covington, B. I. R., S. B. 385, adopted.



Yeas 18; Nays 0.

*Yeas:*

Senators:	Cooley	Hilliard	Parsons	
Aldridge	Covington	Horn	Sanders	
Bedsole	deGraffenried	Langford	Strong	
Bennett	Figures	Little	Teague	
Cabaniss	Foshee	Menton		—18

*Nays:* —0

### BILLS ON THIRD READING RESUMED

#### THE BILL:

S. 385. To require that any bill introduced in the legislature which attempts to annex territory to a municipality or otherwise change the boundary lines of any municipality shall contain an accurate description of the territory to be annexed or removed from such municipality along with a map of such territory attached; to provide that a copy of such map be filed with the judge of probate of the county or counties where such territory is located and to require that any publication of notice of intent to apply for a local law annexing territory to a municipality or otherwise changing the boundary lines of any municipality shall state that a copy of such map is on file in the office of the probate judge and open to inspection by the public.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Cooley	Hilliard	Menton	
Aldridge	Covington	Holmes	Parsons	
Bailey	deGraffenried	Horn	Sanders	
Bedsole	Ellis	Langford	Strong	
Bennett	Figures	Little	Teague	
Cabaniss	Foshee			—21

*Nays:* —0

### RECESS

At 1:35 P.M., on motion of Senator Little, the Senate took a recess subject to the call of the Chair.

The recess period having expired, at 2:50 P.M., the Senate was called to order by Lieutenant Governor Baxley. A quorum of the Senate was present.

### RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 225. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the nineteenth legislative day of the 1986 Regular Session only:

Inst Id		Page
S. 425	Alabama national Guard Museum, approp.	77
S. 470	Community Stabilization Assistance Act, loans to laid-off employees, bd. to admin.	73
H. 185	Counties, auth. receive portion for oil and gas fund interest revenue, fund establ.	82
S. 41	Real estate cos., brokers and salesmen, reg., annual license fees reg. further, Sec. 34-27-35 am'd.	18
S. 431	Industrial Relations Dept., approp. of cert. fed. social security funds	87
S. 238	Constit. Amend. exemption Birmingham Stallions Football Team from taxes for five years.	53
S. 78	Permanent state employee reimbursed for actual moving expenses, Sec. 36-7-40 am'd.	4
S. 373	Judicial Building Authority estab., auth. issue bonds	31
S. 142	Airlines, tax exemptions to encourage large airlines to set up operations in the st., Secs. 40-9-1, 40-12-223, 40-14-41, 40-17-31, 40-23-4, 40-23-62 am'd.	16
S. 285	Class 1 muns., (Birmingham), Alabama Civil Rights Institute, estab.	43
S. 69	Alabama Public Library Service bd., membs. incr., based on congressional dists., Sec. 41-8-2 am'd.	45
S. 216	Prisoners of War Thrift Shops exempted from payment of all st., Co. & mun. sales and use tax, Sec. 40-9-13 am'd.	88
S. 151	Volunteer firemen, comp. for death alt., Sec. 36-30-2 am'd.	33
S. 137	Tenure; granted after one year if teacher already had tenure in another school system, Sec. 16-24-2 am'd.	29
S. 261	School Support Personnel examined every three years, freq. set by st. brd. ed., Sec. 16-22-3 am'd.	59
S. 476	Judicial Retirement system, benefits increased, Sec. 12-18-87 am'd.	72
S. 338	Alabama Publication Clearinghouse and St. Publications Depository Program, estab., division of Ala. Pub. Library Service, duties, Secs. 41-13-20, 41-13-21 repealed.	38
S. 260	Public holidays, National Memorial Day added and Mardi Gras discontinued, Sec. 1-3-8 am'd.	37
S. 263	Private bus service, muns. to regulate	40
S. 376	Lottery materials, manufacture of, exempt from gambling offenses.	32

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S. 460	Criminal Justice Information Center, dir. auth. appt. cert. employees as law enforcement officers, Sec. 41-9-621 am'd.	79
S. 266	Oil and gas drilling equipment used in federal waters, tax exempt, Secs. 40-23-4, 40-23-62 am'd.	90
H. 207	Class 6 muns., optional forms of city gov't, provid.	69
S. 104	Board of Education, purchase educ. materials for children enrolled in the state public kindergartens, Secs. 16-36-7 and 16-36-27, am'd.	83
S. 409	Veterans' Affairs Board membership expanded to include American Ex-Prisoners of War, Inc., Sec. 31-5-3 am'd.	76
S. 291	Sickle cell anemia, testing for provided, Sec. 22-20-3 am'd.	59
S. 2	Schools, classroom size, limited to 20 pupils	30
S. 131	State textbook committee, increase teachers on; require open meetings. Sections 16-36-2 and 13A-14-2 am'd.	6
S. 251	Grain dealers, bonding of, req., Sec. 2-31-4 am'd., Sec. 2-31-2 repealed.	20
S. 282	Alabama St. Employees Association, Alabama Retired St. Employees Association, membs. may join Teachers' Retirement System	91

On motion of Senator Bishop, the Resolution was adopted by the Senate.

**BUDGET ISOLATION RESOLUTION**

Senator Teague, B. I. R., S. B. 425, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Drinkard	Menton	
Aldridge	Corbett	Foshee	Smith (J)	
Bedsole	Covington	Hilliard	Strong	
Bennett	deGraffenried	Holmes	Teague	
Bishop	Dial	Langford		—18

*Nays:* —0

**SPECIAL ORDER**

**BILLS ON THIRD READING RESUMED**

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

S. 425. Appropriating a certain amount of money during the 1985-86 fiscal year from the state general fund to the National Guard Association of Alabama for the establishment of an Alabama National Guard Museum in a certain location.

And said Bill, S. B. 425, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 1.

*Yeas:*

Senators:	Corbett	Goodwin	Mitchem	
Aldridge	Covington	Hand	Sanders	
Bedford	deGraffenried	Hilliard	Smith (J)	
Bedsole	Dial	Holmes	Strong	
Bennett	Ellis	Langford	Teague	
Cooley	Foshee	Menton		—22

*Nay:* Senator Cabaniss

—1

### BUDGET ISOLATION RESOLUTIONS

Senator Bishop, B. I. R., S. B. 470, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:*

—0

Senator Denton, B. I. R., H. B. 185, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:*

—0

Senator Foshee, B. I. R., S. B. 41, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:*

—0

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Senator Cooley, B. I. R., S. B. 431, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:* —0

Senator Aldridge, B. I. R., S. B. 78, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:* —0

Senator deGraffenried, B. I. R., S. B. 373, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:* —0

Senator Parsons, B. I. R., S. B. 142, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:* —0

Senator Hilliard, B. I. R., S. B. 285, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:*

—0

Senator Ellis, B. I. R., S. B. 69, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:*

—0

Senator Smith (J), B. I. R., S. B. 151, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:*

—0

Senator Strong, B. I. R., S. B. 137, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:*

—0

REGULAR SESSION  
19th Day

665

Senator Barron, B. I. R., S. B. 261, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:* —0

Senator Bedford, B. I. R., S. B. 476, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:* —0

Senator Amari, B. I. R., S.B. 338, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:* —0

Senator Covington, B. I. R., S. B. 260, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:* —0

Senator Sanders, B. I. R., S. B. 376, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:* —0

Senator Goodwin, B. I. R., S. B. 460, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:* —0

Senator Menton, B. I. R., S. B. 266, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:* —0

Senator Little, B. I. R., H. B. 207, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:* —0



REGULAR SESSION  
19th Day

667

Senator Bennett, B. I. R., S. B. 104, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:* —0

Senator Dixon, B. I. R., S. B. 409, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:* —0

Senator Bedsole, B. I. R., S. B. 291, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:* —0

Senator Holmes, B. I. R., S. B. 2, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:* —0

Senator Corbett, B. I. R., S. B. 131, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:* —0

### RESOLUTION

Senators Denton, Smith (J), and Bedford offered the following Senate Resolution, to-wit:

S. R. 226. COMMENDING THE SHOALS AREA'S BID FOR THE NCAA DIVISION II CHAMPIONSHIP GAME.

Which was filed.

### BUDGET ISOLATION RESOLUTION

Senator Bailey, B. I. R., S. B. 251, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:* —0

### BILL SUBSTITUTED

Senator Langford requested and received unanimous consent to substitute H. B. 132 for S. B. 282 on the Special Order Calendar, S. R. 225.

### BUDGET ISOLATION RESOLUTIONS

On motion of Senator Goodwin, the Rules were suspended and the B. I. R., S. B. 45, was adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:* —0

REGULAR SESSION  
19th Day

669

Senator Langford, B. I. R., H. B. 132, adopted.

Yeas 27; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—27

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 470. To establish the Community Stabilization Assistance Act; to provide for loans to employees who have been terminated by plant closings; to provide for a board to administer the loans; and to provide for funding and criteria for eligibility for said loans; to make an appropriation for each of the next three fiscal years; and to provide for a retroactive effect.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Parsons	
Aldridge	Corbett	Hand	Smith (B)	
Barron	deGraffenried	Hilliard	Smith (J)	
Bedford	Denton	Holmes	Strong	
Bishop	Ellis	Menton	Teague	
Cabaniss				—20

*Nays:* —0

**THE BILL:**

H. 185. To create the County Government Capital Improvement Fund; to make certain annual appropriations to such fund from the General Fund of the State based upon the amounts of income from the investment of certain moneys derived by the State from the leasing of rights in and royalty payments from offshore oil, gas and other hydrocarbon minerals; to provide for the distribution of such appropriations among county governments; and to provide for the uses to which such moneys shall be put.

was taken up.

Senator Smith (B) offered the following amendment to the Bill, H. B. 185, to-wit:

**AMENDMENT TO H. B. 185**

Amend House Bill No. 185 Page 3 Line 17, by striking out Line 17 through 21 and adding in its place "the funds shall".

On motion of Senator Denton, said amendment was laid on the table.

Yeas 20; Nays 7.

*Yeas:*

Senators:	Corbett	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Holmes	Smith (J)	
Bedford	Dial	Horn	Strong	
Bishop	Foshee	Little	Teague	
Cooley				—20

*Nays:*

Senators:	Bedsole	Cabaniss	Hilliard	
Amari	Bennett	Drinkard	Smith (B)	—7

Senator Smith (B) then offered the following amendment No. 2 to the Bill, H. B. 185, to-wit:

#### AMENDMENT TO H. B. 185

Amend House Bill No. H. 185 Page 3 Line 18, by striking out 45.45 after the word to and inserting 10.0 in its place and on line 21 striking out 54.55 after the word to and inserting 90.0 in its place.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 377. To provide a supplemental appropriation of \$7,600,000 to the Department of Pensions and Security from the State General Fund for FY 1985-86 and to provide a conditional appropriation of \$6,750,000 to the Department of Pensions and Security from the State General Fund for FY 1985-86 to pay awards made by the Board of Adjustment due to the default of payments to state agencies by the Department of Pensions and Security in FY 1984-85; to provide a supplemental appropriation of \$3,000,000 to the Department of Mental Health and Mental Retardation for the fiscal year ending September 30, 1986; and to provide that certain provisions of this act shall be retroactive.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President: Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 400. Relating to Fayette County; to regulate further the expense allowance of the members of Fayette County Commission and giving retroactive effect to such expense allowances; and providing automatic termination of such expense allowances.

Also:

H. 466. Relating to Houston County; to regulate the election and tenure of the Houston County Commission; to provide for the at-large election of a full-time chairman of said commission; to provide for the election of part-time associate county commissioners from four election districts; to provide for qualifications and residency requirements; to provide for the filling of vacancies in such offices; and to provide for the creation of four county commission districts.

JOHN W. PEMBERTON,  
Clerk.

### **SIGNING OF BILLS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President: Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 377. To provide a supplemental appropriation of \$7,600,000 to the Department of Pensions and Security from the State General Fund for FY 1985-86 and to provide a conditional appropriation of \$6,750,000 to the Department of Pensions and Security from the State General Fund for FY 1985-86 to pay awards made by the Board of Adjustment due to the default of payments to state agencies by the Department of Pensions and Security in FY 1984-85; to provide a supplemental appropriation of \$3,000,000 to the Department of Mental Health and Mental Retardation for the fiscal year ending September 30, 1986; and to provide that certain provisions of this act shall be retroactive.

Also:

H. 661. Relating to Talladega County; providing further for banking business within said county; authorizing any bank which moves its principal offices from the county, into another county, to continue operations in Talladega County as a branch so as to not cause a hardship to its customers.

JOHN W. PEMBERTON,  
Clerk.

### **SIGNING OF BILLS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President: Pro Tem:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 172. COMMENDING MR. AND MRS. JAMES VERGIL NOLEN ON THEIR 50TH WEDDING ANNIVERSARY.

Also:

H. J. R. 173. MOURNING THE DEATH OF CHARLES H. STONE OF GURLEY, MADISON COUNTY, ALABAMA.

Also:

H. J. R. 174. COMMENDING ATLANTA CITY COUNCILMAN JOHN LEWIS AND WELCOMING HIM TO LIVINGSTON UNIVERSITY AND WEST ALABAMA.

Also:

H. J. R. 175. COMMENDING MR. WILLIAM MYERS JOHNSON FOR OUTSTANDING CONTRIBUTIONS TO THE CITIZENS OF HUNTSVILLE, ALABAMA, AND THE BROTHERS OF KAPPA ALPHA PSI FRATERNITY, INCORPORATED.

Also:

H. J. R. 178. COMMENDING C. LeNOIR THOMPSON, BAY MINETTE CITIZEN OF THE YEAR, 1985.

Also:

H. J. R. 182. MOURNING THE DEATH OF FRANK DANIELS, JUNIOR.

Also:

H. J. R. 235. COMMENDING KAPPA ALPHA PSI FRATERNITY.

Also:

H. J. R. 236. COMMENDING JAMES H. JOHNSON OF MENTONE, ALABAMA, FOR OUTSTANDING ACHIEVEMENT AS GENERAL MANAGER OF THE FARMERS TELEPHONE COOPERATIVE.

Also:

H. J. R. 266. COMMENDING THE "ALABAMA CHORAL EXPLOSION."

Also:

H. J. R. 268. COMMENDING MITCH STRICKLAND OF TUSCALOOSA, ALABAMA, FOR OUTSTANDING ACCOMPLISHMENT.

Also:

H. J. R. 270. COMMENDING THE JEFFERSON COUNTY RETIRED SENIOR VOLUNTEER PROGRAM.

Also:

H. J. R. 271. COMMENDING THE LEFLORE HIGH SCHOOL RATTLERS AND ITS COACH, JOHNNY SHELWOOD, OF MOBILE, ALABAMA FOR WINNING THE ALABAMA HIGH SCHOOL BASKETBALL CHAMPIONSHIP.

Also:

H. J. R. 272. COMMENDING LEIGH ANN SIMPSON OF ASHVILLE, ALABAMA, ON BEING ELECTED PRESIDENT OF THE ALABAMA 4-H COUNCIL.

Also:

H. J. R. 274. COMMENDING BRETT BENEFIELD AND TIM SIMMONS FOR OUTSTANDING HEROISM.

Also:

H. J. R. 281. COMMENDING THE EMMA SANSOM HIGH SCHOOL BAND OF GADSDEN, ALABAMA.

Also:

H. J. R. 282. COMMENDING JAMES L. BUSBY OF MOBILE, ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

### **SIGNING OF RESOLUTIONS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

### **FURTHER CONSIDERATION OF H. B. 185**

The Senate proceeded to further consideration of the Bill, H. B. 185. The question was on the Smith (B) amendment No. 2.

On motion of Senator Teague, further consideration of the Bill, H. B. 185, and pending amendment, was postponed subject to the call of the Chair.

### **REPORT FROM RULES**

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 74. REQUESTING THE ATTORNEY GENERAL AND STATE INSURANCE COMMISSIONER TO ENFORCE THE PROVISIONS OF SECTION 27-1-10 OF THE CODE OF ALABAMA.

On motion of Senator Cabaniss, further consideration of the Resolution, H. J. R. 74, was postponed subject to the call of the Chair.

**REPORTS FROM RULES**

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. Jack Shows to the State Board of Pardons and Paroles

On motion of Senator Bishop, the appointment of Mr. Shows was confirmed by the Senate.

Yeas 26; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Menton	
Aldridge	Cooley	Goodwin	Mitchem	
Amari	Corbett	Hand	Smith (B)	
Bedford	Covington	Holmes	Smith (J)	
Bedsole	deGraffenried	Horn	Strong	
Bennett	Denton	Langford	Teague	
Bishop	Ellis	Little		—26

*Nays:*

—0

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Stanley L. Graves to the Environmental Management Commission

On motion of Senator Teague, the appointment of Mr. Graves was confirmed by the Senate.

Yeas 26; Nays 0.

*Yeas:*

Senators:	Corbett	Hand	Mitchem	
Aldridge	Covington	Hilliard	Parsons	
Amari	deGraffenried	Holmes	Smith (B)	
Bedsole	Denton	Horn	Smith (J)	
Bennett	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	
Cooley	Goodwin	Menton		—26

*Nays:*

—0

**FURTHER CONSIDERATION OF H. J. R. 74**

The Senate proceeded to further consideration of the Resolution, H. J. R. 74.

On motion of Senator Bishop, the Resolution was then concurred in and adopted by the Senate.



**REPORT FROM RULES**

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Dr. John H. Winston, Jr., to the Environmental Management Commission

On motion of Senator Bishop, the appointment of Dr. Winston was confirmed by the Senate.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hilliard	Smith (B)	
Bedsole	deGraffenried	Holmes	Smith (J)	
Bennett	Denton	Horn	Strong	
Bishop	Ellis	Langford	Teague	
Cabaniss	Foshee	Little		—22

*Nays:* —0

**FURTHER CONSIDERATION OF H. B. 185**

The Senate proceeded to further consideration of the Bill, H. B. 185. The question was on the Smith (B) amendment No. 2.

**ADJOURNMENT**

At 5 o'clock P.M., on motion of Senator Foshee, pending further consideration of H. B. 185, the Senate adjourned until Thursday, March 20, 1986, at 10 o'clock A.M.

## **TWENTIETH LEGISLATIVE DAY**

**THURSDAY, MARCH 20, 1986**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

### **PRAYER**

The Session was opened with prayer by the Reverend Haynes Sandifer, Pastor, First Baptist Church, Centreville, Alabama.

### **PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Emily Fogarty, Corpus Christi School, Mobile, Alabama.

### **ROLL CALL**

Present:

Senators:	Cooley	Ellis	Little
Aldridge	Corbett	Figures	Menton
Amari	Covington	Foshee	Mitchem
Bailey	deGraffenried	Hand	Parsons
Barron	Denton	Hilliard	Smith (B)
Bedsole	Dial	Holmes	Smith (J)
Bennett	Dixon	Horn	Strong
Bishop	Drinkard	Langford	Teague
Cabaniss			

—32

### **JOURNAL**

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

### **REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Nineteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

### **COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Nineteenth Legislative Day was approved by the Senate.

### **LEAVE OF ABSENCE**

On motion of Senator deGraffenried, leave of absence was granted Senators Bedford, Goodwin, and Sanders for today.

### INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Dial:

S. 595. To amend section 34-22-42, Code of Alabama 1975, which relates to the duties and powers of the Alabama Board of Optometry, so as to provide that members of the board shall be immune from civil liability for conduct in the course of their official duties as board members.

Committee on Judiciary.

By Senator Bennett (With Notice and Proof):

S. 596. Relating to Jefferson County; to establish a county commission comprised of five part-time county commissioners elected from five commission districts; to establish said commission districts; to provide for terms of office and for filling vacancies in office; to provide for the office of a full-time county manager appointed by the commission to serve under the county merit system; to provide that the county manager shall be the chief executive and administrative officer of the county to carry out the broad policies and objectives of the county commission in administering the functions of county government to be distributed to the county manager; to provide for establishing the different departments and divisions of county government to carry out said governmental functions; to provide for compensation, mileage and per diem expenses; to provide that the county commission shall have the authority and power to promulgate rules and regulations to carry out the provisions of this act; to provide for the authority of the county commission to levy general and special taxes; to provide for delegation by the commission of certain rights and authority conferred by law and by court order to the county manager; to provide that the county commissioners shall not be individually liable for monies paid improperly and unlawfully unless such sums knowingly and willfully were allowed to be paid by such commissioners; and to repeal Act No. 271, H. 824 of the 1931 Regular Session (Acts of 1931, p. 298), entitled, "An Act To abolish the Board of Revenue or Commissioners Courts in all counties in this state having a population of 300,000 inhabitants or more according to the last or any subsequent Federal Census and to establish in such counties a County Commission; to provide for the election of the members of the said Commission, to fix the term of office, to define the powers and duties of such Commission and to fix the compensation of the members thereof," as amended by Act No. 89, H. 373 of the 1935 Regular Session (Acts of 1935, p. 157), entitled, "An Act To amend Sections 2 and 3 of Act approved June 16, 1931, entitled, 'An Act to abolish the Board of Revenue or Commissioners Courts in all counties in this state having a population of 300,000 inhabitants or more according to the last or any subsequent Federal Census and to establish in such Counties a County Commission; to provide for the election of the members of the said Commission, to fix the term of office, to define the powers and duties of such Commission and to fix the compensation of the members thereof,' (General Acts 1931, page 298); to provide the terms of office, the designation thereof, and methods of election of said Commissioners; to provide for the successors of the present Commissioners; to provide for the filling of vacancies by election in the office of said Commissioners, and in other respects," and Act No. 17, H. 40 of the 1939 Special Session (Acts of 1939, p. 18), entitled, "An Act To further regulate, define and distribute the powers and duties of County Commissions and County Commission members in all Counties in this State having a population of 300,000

inhabitants or more according to the last or any subsequent Federal Census"; and to repeal other conflicting laws.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 596, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Bennett:

S. 597. Relating to elections; to define the meaning of terms used in this act; to provide for the designation and organization of a principal campaign committee by each candidate for election to state or local office; to designate the Secretary of State and the Judge of Probate as the recipients of reports and statements required to be filed by this act; to provide for the registration of political committees (including the principal campaign committee of each candidate); to require that political committees established by corporations bear the name of the corporation; to provide for the reporting of contributions received and expenditures made by political committees; to provide for the designation of campaign depositories; to delineate the duties of the Secretary of State and Judge of Probate; to provide for the disbursement of campaign contributions in excess of expenditures; to provide for proper identification of campaign advertising; to prohibit the intimidation of voters, certain expenditures to influence voting, the publication or distribution of certain political statements, contributions in the name of another, fraudulent misrepresentations of campaign authority, and coercion of contributions; to provide penalties for the violation of the provisions of this act; to require that certificates of election be withheld under certain circumstances; and to repeal chapter 22 of Title 17 of the Code of Alabama 1975.

Committee on Governmental Affairs.

By Senator Foshee:

S. 598. To amend certain sections of Chapter 2 of Title 14 of the Code of Alabama 1975 to provide for the payment of capitalized interest from the proceeds from the sale of bonds of the authority for a period not to exceed one year from the date of issuance of such bonds; and to provide that rent payments by the state or any of its agencies shall be due in accordance with the provisions of any lease by the authority of any of its facilities.

Committee on Buildings and Grounds.

By Senator Smith (J) (With Notice and Proof):

S. 599. To alter, rearrange and extend the boundary lines of the City of Athens, Limestone County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Limestone County, Alabama.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 599, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Strong (With Notice and Proof):

S. 600. To propose an amendment to the Constitution of Alabama of 1901, relating to fire protection districts in Clarke County, so as to provide for the levy and collection of certain additional property tax for fire protection in said county.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 600, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

The above Bill was read a first time at length as required by the Constitution.

By Senator Drinkard (With Notice and Proof):

S. 601. Relating to Etowah County; to provide for the mailing addresses of the grantees to appear on all conveyances of real property recorded in the probate office of such county.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 601, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senators Covington and Bailey:

S. 602. To amend Section 2-19-131, Code of Alabama, 1975, providing for certification of the official cotton growers' organization to allow said organization to borrow funds for the purpose of eradicating the boll weevil; to amend Section 2-19-135, providing procedures to be used when assessments are not paid to also declare that assessments constitute a lien which the Commissioner of Agriculture and Industries is authorized to collect.

Committee on Agriculture,  
Conservation, and Forestry.

By Senators Covington and Bailey:

S. 603. To conditionally appropriate \$600,000 of any available funds for the fiscal year 1985-86 to the Boll Weevil Eradication Foundation, conditioned upon the United States Department of Agriculture's putting said eradication program in effect in Alabama and upon the Governor's approval.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Covington:

S. 604. To prohibit the control of non-bank banks in this State by bank holding companies and other companies, to define non-bank bank, bank holding company, company and control; to provide for administrative enforcement by the Superintendent of Banks; to provide for severability of the provisions of this Act; to provide for the repeal of conflicting laws and to provide an effective date.

Committee on Banking and Insurance.

By Senator Covington:

S. 605. To establish a new regulatory and licensing board for the practice of cosmetology/barbering; to create the Alabama board of cosmetology and barbering; to provide for suspension and revocation of licenses; to prescribe penalties for certain violations; and to repeal chapters 5 and 7 of Title 34, Code of Alabama 1975, relating to barbers and cosmetologists.

Committee on Governmental Affairs.

By Senator Foshee:

S. 606. To make a conditional appropriation from the State General Fund to the Alabama Development Office for the Alabama Film Commission for the fiscal year ending September 30, 1986.

Committee on Buildings and Grounds.

By Senator Bennett:

S. 607. To require a municipality or the alcoholic beverage control board to conduct a public hearing prior to locating a state liquor store in any municipality.

Committee on Buildings and Grounds.

By Senator Foshee:

S. 608. To permit any active circuit court clerk or circuit court register to purchase up to six years' credit in the Clerks' and Registers' Supernumerary Fund for time previously served in a federal civil service position or for time previously served as a county employee or official; to provide that such prior service credit must be claimed and purchased within one year of the effective date of this act; to provide that such service credit may not be purchased for any such time already credited to the account of any circuit court clerk or circuit court register; and, to provide an effective date.

Committee on Governmental Affairs.

By Senator Teague:

S. 609. To require all motor vehicle operators to have certain liability insurance coverage or financial security and to furnish proof of such coverage or security and to provide criminal sanctions for violating the provisions of this act.

Committee on Buildings and Grounds.

By Senator Teague:

S. 610. To exempt the Amvets of Alabama from the payment of all state, county and municipal sales and use taxes.

Committee on Buildings and Grounds.

By Senator Corbett:

S. 611. To exempt the Dixie Youth Baseball and Ladonia Recreation Association in Russell County from all state and local sales and use taxes.

Committee on Buildings and Grounds.

By Senator Corbett:

S. 612. To exempt the Tuskegee Civic Association, Inc., from the payment of all state, county and municipal sales and use taxes.

Committee on Buildings and Grounds.

By Senator Teague (With Notice and Proof):

S. 613. To extend, alter and rearrange the boundary lines and corporate limits of the City of Lincoln, Talladega County, Alabama.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 613, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Amari:

S. 614. To amend Code of Alabama 1975, Section 8-6-56, to provide that the securities commission shall fix the salary of the director.

Committee on Governmental Affairs.

## RESOLUTIONS

Senator Bishop offered the following Senate Joint Resolution, to-wit:

S. J. R. 227. COMMENDING HERMAN HICKMAN OF GORDO, ALABAMA UPON HIS INDUCTION INTO THE ALABAMA POULTRY HALL OF FAME.

WHEREAS, the Alabama Legislature notes with highest commendation the induction of Mr. Herman Hickman, President of PECO Farms/Foods, into the Alabama Poultry Hall of Fame on June 9, 1984; and

WHEREAS, PECO Farms/Foods provides employment to 400 people at the processing plant in Tuscaloosa and 150 in the Gordo Area; and

WHEREAS, Mr. Hickman, a native of Gordo, Alabama, and lifelong resident of Alabama, has had a successful and illustrious career in the poultry industry since 1937; and

WHEREAS, Mr. Hickman served the Alabama Poultry Industry Association as first vice president at its founding in 1932; and

WHEREAS, Mr. Hickman helped organize the Pickens County Poultry Association and was named Citizen of the Year by his community; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby express highest praise and regard to Mr. Herman Hickman of Gordo, Alabama, for his accomplishments and long years of service to the citizens of Pickens and Tuscaloosa Counties.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Mr. Herman Hickman that he and his family may know of our sincere pride in him and best wishes for his future success.

On motion of Senator Bishop, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Bishop then offered the following Senate Joint Resolution, to-wit:

S. J. R. 228. DECLARING MARCH 23, 1986, GEORGE WEAVER DAY IN CORDOVA, ALABAMA.

WHEREAS, George Weaver has been a practicing physician for over 32 years; and

WHEREAS, George Weaver has spent over 30 of those years serving the needs of the town of Cordova, Alabama; and

WHEREAS, George Weaver has also operated a nursing home in the town of Cordova for over 15 years; and

WHEREAS, George Weaver has been an inspiration to all around him for his dedication to service of others; and

WHEREAS, the town of Cordova has declared March 23, 1986, as George Weaver Day and the Legislature desires to join in saluting George Weaver; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That March 23, 1986 is hereby declared as George Weaver Day in Cordova, Alabama.

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to George Weaver and his family.

On motion of Senator Bishop, the Rules were suspended and the Resolution was adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 74. REQUESTING THE ATTORNEY GENERAL AND STATE INSURANCE COMMISSIONER TO ENFORCE THE PROVISIONS OF SECTION 27-1-10 OF THE CODE OF ALABAMA

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.



**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 18. To amend Act No. 39, H. 67, Second Special Session, 1971 (Acts 1971, p. 4173) to permit the application of chemical substances by aircraft in Shelby County under certain conditions.

Also:

S. 154. To create the Alabama Turkey Hunters Hall of Fame Board and Museum; to prescribe its purposes, membership and location; to provide for the appointment of its members and for the holding of meetings.

Also:

S. 228. Relating to Jackson County; to authorize the probate judge to set the fee for supplying a copy of an instrument; to place the proceeds from the fees in a special fund and provide for its use.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Hooper, McKee, Buskey (John), and Starr (With Notice and Proof):

H. 591. Relating to the County of Montgomery, Alabama; to authorize the County of Montgomery to grant County ad valorem tax exemptions for up to fifteen (15) years to owner-developers who build new commercial or industrial facilities within the downtown business district as defined by the governing body of the City of Montgomery, providing that owner-developers receiving such exemptions shall, however, continue to pay County ad valorem property taxes on such property as was paid in the year preceeding the improvement caused by the construction or development of the new commercial or industrial facility; to provide that the tax exemption herein shall not effect any taxes other than County ad valorem taxes; and to provide for the procedures to be followed in the granting of such exemptions.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 519, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Starkey and Clark (D) (With Notice and Proof):

H. 671. Relating to Lauderdale County and its municipalities for the purpose of said county and municipalities joining with Colbert County and its municipalities, for the purpose of forming a Shoals Industrial Development

Authority for promoting industry and trade and the development of said counties and cities; to provide for the organization, powers, functions, duties and personnel of such authority, and for the payment of expenses of the authority and for the compensation of its employees.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 671, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Grouby (With Notice and Proof):

H. 677. Relating to Autauga County; to change the method of compensating the judge of probate; to fix such compensation; to provide that fees, commissions, allowances, percentages and other charges heretofore collected for the use of the judge of probate shall be collected and paid into the general fund of the county; and to make provision for the personnel, quarters and supplies for the probate office.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 677, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 591, 671, and 677—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Grouby:

H. 366. To regulate further the office of probate judge in this state; to provide for the compensation of the probate judges of the several counties to be by an annual salary; to provide for such compensation; to provide that fees, commissions, allowances, percentages and other charges heretofore collected for the use of the judge of probate shall be collected and paid into the general fund of the county; and to make provision for the personnel, quarters, supplies and equipment for the office of the probate judge.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 366—to the Committee on Governmental Affairs

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Moore:

H. 12. Proposing an amendment to the Constitution of Alabama of 1901 relating to Shelby County so as to prohibit annexation of territory within Shelby County by out of county municipalities without a vote of the people of Shelby County.

Also:

By Rep. Grouby:

H. 681. Proposing an amendment to the Constitution of Alabama of 1901 relative to the fees and compensation of the judge of probate of Autauga County.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 12 and 681—to the Committee on Constitutional Revision

(The above Bills were read a first time at length as required by the Constitution.)

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Venable:

H. 347. To amend Section 35-10-8, Code of Alabama 1975, relating to how notices of mortgage foreclosure sales are made, so as to provide how the notice of sale is made when there is no newspaper published in the county.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 347—to the Committee on Judiciary

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Starkey:

H. 639. To amend Section 11-41-8, Code of Alabama, 1975, as amended, so as to validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama which might be invalid because of any irregularity in the procedure for incorporation.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 639—to the Committee on Governmental Affairs

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama State University Board of Trustees.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 11th day of March, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mrs. Frankie Underwood  
3305 Simmons Road  
Jasper, AL 35501

as a member of the Alabama State University Board of Trustees.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 11th day of March, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama State University Board of Trustees, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama State University Board of Trustees.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 11th day of March, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mrs. William A. Parker  
2504 Frederick Road  
Opelika, AL 36801

as a member of the Alabama State University Board of Trustees.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 11th day of March, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama State University Board of Trustees, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama State University Board of Trustees.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 11th day of March, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Dr. LaRue W. Harding  
1100 Jackson Highway  
Sheffield, AL 35660

as a member of the Alabama State University Board of Trustees.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 11th day of March, 1986.

#### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama State University Board of Trustees, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE GOVERNOR

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Board of Pensions and Security.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 6th day of March, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Beverly Ward Cabil  
604 South 54th Street  
Birmingham, AL 35212

as a member of the State Board of Pensions and Security.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 6th day of March, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Board of Pensions and Security, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Board of Pensions and Security.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 6th day of March, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mike Manasco  
1254 Meriwether Road  
Montgomery, AL 36117

as a member of the State Board of Pensions and Security.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 6th day of March, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Board of Pensions and Security, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Polygraph Examiners Board.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 6th day of March, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Captain Jesse E. Sprayberry  
1220 Old Oak Circle  
Birmingham, AL 35235

as a member of the Polygraph Examiners Board.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 6th day of March, 1986.

#### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Polygraph Examiners Board, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE GOVERNOR

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Credit Union Board.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 6th day of March, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

John R. Stephenson  
1712 Valpar Drive  
Birmingham, AL 35226

as a member of the State Credit Union Board.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 6th day of March, 1986.



**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Credit Union Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Credit Union Board.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 6th day of March, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Charles Therrell  
203 North Gould Avenue  
Whistler, AL 36612

as a member of the State Credit Union Board.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 6th day of March, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Credit Union Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Credit Union Board.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 6th day of March, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

James G. Lankford  
86 Vestavia Hills  
Northport, AL 35476

as a member of the State Credit Union Board.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 6th day of March, 1986.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Credit Union Board, was read and referred to the Standing Committee on Rules.

### REPORTS OF COMMITTEES

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Denton (With Substitute):

S. 397. To provide that persons rendering aid in hazardous materials accidents shall be exempt from civil liability when rendering such aid.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Smith (J):

S. 275. To define and set the punishment for the crimes of: unlawful distribution of controlled substances in the first, second, and third degree; unlawful possession of a controlled substance in the first, second, and third degree; unlawful possession of marijuana in the first and second degree; unlawful possession of narcotic paraphernalia; to provide for forfeitures and seizures; to amend Code of Alabama 1975, §§20-2-2, 20-2-32, 20-2-72, 20-2-80, 20-2-81, and 20-2-93; to provide for the incorporation of Act No. 82-426, "The Imitation Controlled Substances Act," into this act; to provide for the incorporation of the provisions of this act into Title 13A of the Code of Alabama 1975; to repeal Code of Alabama 1975, §§20-2-70, 20-2-73, 20-2-75, 20-2-76, 20-2-77, and any and all other laws or parts of laws that conflict with this act, insofar as conduct occurring after the effective date of this act is concerned; to provide that this act is supplemental to other laws not inconsistent with this act and shall not be deemed to repeal such

laws; to specify the conduct to which this act applies; to provide for severability; and, to provide an effective date.

By Senator Aldridge:

S. 176. To amend §32-5A-191, Code of Alabama 1975, which relates to the offense of driving under the influence of alcohol or controlled substances (DUI) and the penalties therefor, so as to require all persons convicted of violating said §32-5A-191 or a municipal ordinance prohibiting operation or actual physical control of a vehicle while under the influence of alcohol or controlled substances, to attend and complete a DUI court referral program certified or approved by the State Administrative Office of Courts; and to provide that completion of such program shall be in addition to the punishments and sanctions now provided by §32-5A-191, Code of Alabama 1975.

By Senator Foshee:

S. 241. To propose a constitutional amendment to Amendment 81 of the Constitution of Alabama of 1901, relating to the holding of courts of record and the establishment and abolition of branch courthouses and divisions of circuit court, so as to provide that any habeas corpus, coram nobis, or other post-judgment proceeding relating to a criminal conviction that is filed in circuit court by or on behalf of any person incarcerated or confined in any correctional institution may, at the discretion of the judge presiding in the case, be held at any correctional institution operated under the direction and control of the State Department of Corrections wherein the person seeking the writ is confined; to provide for security during such proceedings; to delete those provisions of Amendment 81 that are in conflict with Amendment 328 to the Constitution of Alabama of 1901, as amended, and to provide for an election on the proposed amendment and notice thereof.

The above Bill was read a second time at length as required by the Constitution.

By Senator deGraffenried:

S. 542. To provide that the repeal of Supernumerary Judge Laws shall not affect the method of computing the compensation of Supernumerary District Attorneys.

By Senator Teague:

S. 352. To amend Section 22-52-1 of the Code of Alabama 1975 relating to petition for commitment of mentally ill persons so as to provide for special petitions to be filed by law enforcement officers.

By Senator Cooley:

S. 516. To amend Code of Alabama 1975, Section 7-9-307, so as to conform to the Federal Food Security Act of 1985, by adding new subsections (4) and (5) to provide for the protection of a secured party filing with the Secretary of State and to amend Code of Alabama 1975, Section 7-9-407, so as to conform to the Federal Food Security Act of 1985, by adding new subsections (3), (4), (5) and (6); to enable and require the Secretary of State to develop and implement a central indexing system, a list of buyers of farm products, commission merchants and selling agents; to provide for a distribution of such listing; and to require oral confirmation of the filing of the form prescribed in Section 7-9-307(4).

By Senator Goodwin:

S. 284. To establish the offense of criminal enterprise for the purpose of trafficking in illegal drugs.

By Senator Ellis:

S. 438. To revise the law on redemption of real estate and provide: definitions; who may redeem and priorities; to extend rights to executors and administrators; to characterize the rights of redemption; demand for statement of debt and lawful charges by person entitled to redeem; payment or tender of purchase money and other lawful charges, with interest; payment of value of permanent improvements and how the value of improvements are ascertained; provisions for when there is a failure or refusal of a purchaser to recover title; the settlement and adjustment of rights and equities by a circuit court when a complaint is filed; and when a right to redeem does not exist. To apply only to mortgages foreclosed after the effective date of this act which is July 1, 1986. To repeal Alabama Code Sections 6-5-230 through 6-5-246 as amended.

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Ellis (With Substitute):

S. 160. To provide a comprehensive system of law applicable to all counties in this state defining the powers of any such counties to construct improvements or reimprovements consisting of streets or any portions thereof, sanitary sewers and sewer systems and water and gas mains and service connections, drainage improvements or drainage systems and the filling in of swamps or inundated or overflowed or submerged lands, ornamental lighting systems or white way systems of lighting and the construction, acquisition, improvement and extension of seawalls, dikes, levees and embankments in such counties; to provide a method for the assessment of the cost of any such improvement against the property abutting on, or drained, served, or benefited by such improvement; to require the adoption of a resolution describing the improvement and the property abutting on, or the area to be drained, served or benefited by such improvement; to require the filing of plans and specifications for such improvement; to provide for publication and mailing of notice of the adoption of the said resolution; to provide for a public hearing on such improvement; to provide for payment of the cost of the improvement; to provide for the establishment of the grade of certain streets, avenues, alleys or sidewalks to be improved; to provide for public advertisement for bids for the construction of the improvement unless the county shall perform the work or provide materials from its own resources; to provide that the county commission must accept or reject work on the part of the county; to provide for supervision of the work; to provide for the levy of assessments on the property benefited by any improvement; to provide for the assessment against lands purchased by the state; to provide the manner of assessments generally; to provide for improvements of intersections of streets, avenues or other highways; to provide for sidewalk improvements; to provide for the assessment of costs of improvements against railroads; to provide for the preparation of a list of owners and parcels to be assessed, and publication of notice of such list; to provide for the entry of list in assessment book for local improvements; to provide for the delivery

of assessment book to county clerk and the publication of notice as to delivery and inspection of book; to provide for notice of hearing upon objection; to provide for the contents of notice as to assessments for improvements; to provide for any defects or errors therein; to provide for the filing of written objections to assessments by property owners; to provide for a hearing on the proposed assessments and making the same final; to provide for the powers of commission as to subpoena of witnesses; to provide for the establishment of a lien on the property subject to the assessments and for the priority thereof; to provide for the reduction or abatement of certain assessments; to provide for procedures with respect to erroneous assessments and assessments in excess of benefits derived; to authorize the transfer and assignment of such liens, and for the enforcement thereof; to specify other provisions with respect to such liens; to provide for the effect of enforcement of tax liens upon property upon assessment liens and the duration of assessment liens; to provide for the effect of sale of property for enforcement of assessment lien upon other assessment liens upon the same property; to provide a system for appeals from the making of such final assessment; to provide for bond on appeal; to provide for entry on trial docket of appeal; to provide for the transcript for appeal; to provide for prima facie evidence on appeal; to provide for the conduct of appeal, right of jury trial and the entry of judgment and assessment of costs generally; to provide for the entry of judgment for amounts properly chargeable against lands where the assessment is defective; to provide for appeals for the judgment of the circuit court by the property owners; to provide for such appeals generally; to provide for the addition of interest and damage upon affirmation of judgment for county; to provide that the county may appeal the many judgments of the circuit court without giving bond; to provide for the issuance of execution and order of sale upon entry of final judgment in favor of county; to provide a system for payment of all such assessments and for default in such payments; to provide for proceedings for sale of land upon failure of owner to pay assessment; to provide for the payment of assessments prior to sale; to provide that costs of notice and sale are to be charged against land; to provide for the execution of deed to purchaser at sale; to provide for the effect of error and defect of notice of sale; to provide for the redemption of property after sale generally; to provide for the extension of redemption period; to provide for the application for entry of certificate of warning to redeem upon record of local improvement assessment sale deed; to provide for the mailing of copies of deed and certificate to persons last assessed upon property described in deed by probate judge; to provide for the redemption of property during extended redemption period; to provide for the performance of duties of the probate judge; to provide for the applicability of provisions of Sections 54 through 58 of this Act; to provide for the making of temporary loans or issuance of bonds during progress of work to pay for cost of improvement; to provide for the issuance of bonds after completion of work; to provide for the applicability of provisions of law as to issuance of county bonds generally; to provide for the issuance of bonds generally; to provide for the maturity and payments of such bonds; to provide for the disposition of proceeds from sale of bonds; to provide for the grouping of improvements for the issuance of bonds; to provide for the maintenance and disposition of sinking fund accounts for bond issues; to provide for the bond of the officer charged with the collection of assessments; to provide for the redemption of bonds; to provide for the refunding of excess assessments; to provide a limitation period for presentation of claims and disposition of amounts not refunded; to provide for the settlement, adjustment or refunding of bonds; to provide for the sale or issuance to

custodian of the special fund of refunding bonds; to provide for the consolidation of separate outstanding issues or issuance of refunding bonds; to provide for the maintenance and disposition of sinking fund accounts for refunding bond issues; to grant to any such county the right of eminent domain with respect to improvements; to provide that this Act shall not affect the powers of counties to compel property owners to repair sidewalks; to provide for apportionment of assessments against property for public improvements among joint owners thereof; to provide for a petition of tenant in common for division of assessment among joint owners of property; to provide for a division of assessment among the tenants in common; to provide for a notice to property owners of division of assessment; to provide for appeals from division of assessment; to provide for correction of description of ownership of property and reduction of assessment; to provide for the effect of reduction upon assessment lien; for the effect of annexation and incorporation of an area in which assessments have been made; to provide for severability of the provisions of this Act and for the repeal of inconsistent laws and to establish the effect date of this Act.

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. White (L) and Hall:

H. 439. Changing the name of the department of pensions and securities to the "Alabama state department of human resources" and providing for the efficient replacement of certain supplies used by such department.

By Senator Bishop:

S. 531. To provide that the governing body of any county or municipality may provide for health and medical insurance coverage for retired employees.

By Senator Aldridge:

S. 558. To amend Section 15-22-2 of the Code of Alabama 1975 which relates to the contributions by parolees and probationers towards the cost of supervision and rehabilitation so as to increase the required contribution amount that must be made by parolees and probationers with means of income.

By Senator Menton:

S. 503. To provide for registration, disclosure statements, sale or transfer of ownership, reserve funds, escrow accounts, bond requirements, liens on behalf of residents, resident agreements, rights to organize, rehabilitation or liquidation, civil liability, investigations and subpoenas, audits, cease and desist orders, criminal penalties, waivers and regulations in connection with the operation of life care facilities and the sale of life care contracts.

Senator Bailey, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Blake:

H. 121. To repeal Section 2-6-2, providing for the appointment of a Superintendent of the Agricultural Center to manage and control the coliseum and its facilities; to provide for the appointment of merit system employees for the Agricultural Center by the Agricultural Center Board.

Senator Bailey, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Barron (With Substitute):

S. 433. To amend Sections 9-11-55 and 9-11-56, Code of Alabama 1975, as last amended by Act No. 84-446, S. 185, Code of Alabama 1975, relating to fees and charges for probate judges and other issuing officer and the issuance and costs of annual fishing licenses for nonresidents, so as to increase said fees and costs.

Senator Bailey, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Mitchem, Bailey, Barron, Dial, Denton, Menton, Bedford, Hand, Cooley, Holmes, Bennett, Horn, Goodwin, Drinkard, Ellis, Foshee, Sanders, Bedsole, Smith (J), and Bishop:

S. 471. To establish the Farm Crisis and Transition Program and Commission in the State to provide needed career-oriented technical education and counseling services to farmers and agricultural businessmen in the State in the fields of agricultural finance and accounting, law, farm planning, vocational training and social services at a reasonable cost or on a no-cost basis; to provide supplemental job training to enable economically distressed farmers and agricultural businessmen to remain in farming or to retain their businesses or to facilitate an orderly transition from agriculture to other activities; to provide for the employment by the Commission of a program coordinator, necessary staff and specialist support personnel; to provide that the Commission may appoint an advisory committee; to provide for regional offices to be established to coordinate local regional activities and provide for certification of qualified professionals in the fields of agricultural finance and accounting, law, farm planning, vocational training and social services; to provide farmers and agricultural businessmen seeking program assistance with names of qualified and certified professionals in their region; to ensure that regional offices actively initiate and maintain a highly visible public awareness program and prepare a descriptive system of periodic program reports with the Commission; to provide for coordination of the Commission's activities with all other state agencies involved in providing services to farmers; to authorize the Governor to accept, on behalf of the State, private contributions for the benefit of the Program; to provide for the severability of the provisions of this Act; and to provide an effective date.

By Senator Smith (B):

S. 509. To provide the State Department of Education the authority to enter into contracts for periods not greater than three years for the storage and distribution of the United States Department of Agriculture commodities.

Senator Smith (J), Chairperson of the standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator deGraffenried (With Amendment):

S. 573. To characterize the relationship between a depositor and a depository institution and to distinguish between special and general deposits.

Senator Smith (J), Chairperson of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Teague (With Substitute):

S. 198. To require all state agencies not previously authorized by law to purchase workmen's compensation insurance to provide workmen's compensation insurance coverage for its employees; to provide that the department of finance will administer the program and shall be empowered to provide for the collection and coverage, in the same manner as other insurance funds and programs of the state for personal property and buildings; to provide that each state agency shall be responsible for such coverage on a pro rata basis from appropriations made to each agency.

Senator Denton, Chairperson of the Standing Committee on Commerce, Transportation, and Utilities, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Teague (With Substitute):

S. 19. Providing for the establishment under the office of the Governor, the "Governor's Staff for Utility Consumer Protection," and providing for its organization, personnel, responsibilities, and funding; amending Sections 37-1-16, 37-1-17 and 37-1-18, Code of Alabama 1975, as amended, relating to the appointment of a director and members of the staff, compensation and powers, so as to provide such appointments by the Governor and remove such office from the Public Service Commission; and providing for funding from the general fund of the state treasury and Governor's office.

Senator Denton, Chairperson of the Standing Committee on Commerce, Transportation, and Utilities, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Dial:

S. 133. To amend Section 40-12-240 of the Code of Alabama 1975, relating to motor vehicle licenses, so as to further define the term "private passenger automobile".

By Senator Little:

S. 65. To amend Section 32-1-1.1, Code of Alabama 1975, which defines certain words for purposes of the Motor Vehicle Code, so as to include



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vehicles of certified volunteer fire departments within the definition of "authorized emergency vehicle."

By Senators Mitchem, Covington, Cooley, Smith (J), Goodwin, and Bishop:

S. 217. To amend Section 32-6-254, Code of Alabama 1975, which provides for the use and transferability of distinctive license plates for former prisoners of war, so as to allow the widows of such persons to be entitled to retain said plates.

By Senator Teague:

S. 421. To provide for minimum training standards for all law enforcement officers to operate radar speed measuring devices.

By Senator Teague:

S. 422. To define and prohibit the operation of all-terrain vehicles on roadways in Alabama.

By Rep. Hammett:

H. 106. To prohibit certain activities related to tampering with meters and other facilities of public utilities furnishing utility services or otherwise diverting or using utility services unlawfully; to provide felony criminal punishment for violations; and to provide that the provisions of this act are cumulative to Section 13A-8-10, Code of Alabama 1975.

By Rep. Hammett:

H. 107. To provide that a utility may recover damages from any person who knowingly interferes with any meter or other recording device belonging to a utility, who knowingly diverts utility services or who intentionally and without authority uses utility services; to provide for the measure of damages which may be recovered by the utility in any such civil action.

Senator Foshee, Chairperson of the Standing Committee on Buildings and Grounds, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Boles, Payne, Trammell, Biddle, White (G), Pratt, Reed, Gray, Moore, Seibels, Perdue, Escott, Newton, Spratt, Albright, Beers, Bachus, McNair, McDowell, Davis, Rogers, Turner, Harper, Gaston, Lauderdale, Kvalheim, McMillan, Hettinger, Penry, Blake, Coleman, Buskey (JL), Lindsey, Cosby, Faulk, Butler, Beasley, Carothers, Johnson (RG), Mathis, Grouby, Laird, Hammett, Starr, Adams, Bugg, Martin, Newman, Rice, Britnell, White (L), Fuller, Zoghby, Turnham, Venable, Mitchell, Bowling, Crow, Smith, Campbell, Burke, Richardson, Junkins, Starkey, Clark (D), and Carter:

H. 271. To grant tax exemptions for the benefit of certain air carriers; to exempt from the tax levied by Article 6 of Chapter 3 of Title 28 of the Code of Alabama 1975 on the sale of spirituous or vinous liquors certain sales of spirituous or vinous liquors to a certificated or licensed air carrier with "a hub operation within this state," as herein defined; to amend Section 40-9-1, Code of Alabama 1975, by adding subdivision (24) to exempt from ad valorem tax all aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles

used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-12-223, Code of Alabama 1975, by adding subdivision (13) to exempt from rental tax the gross proceeds accruing from the leasing or rental of aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-14-41, Code of Alabama 1975, by adding subdivision (d)(2)(E) to provide for a deduction from the amount of capital employed in the state for purposes of computing the franchise tax applicable to foreign corporations the amount invested by the taxpayer in all real and personal property, equipment, facilities, structures and components thereof including all aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-17-31, Code of Alabama 1975, by adding subdivision (d)(4) to exempt from excise tax gasoline or other fuel used to propel aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-4, Code of Alabama 1975, by adding subdivision (40) to exempt from sales tax the gross receipts from the sale of aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-4 by adding subdivision (41) to exempt from sales tax the gross receipts from the sale of hot or cold food and beverage products sold to or by a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-62, Code of Alabama 1975, by adding subdivision (32) to exempt from use tax the storage, use or other consumption of any aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; and to further amend Section 40-23-62, Code of Alabama 1975, by adding subdivision (33) to exempt from use tax the storage, use or other consumption of hot or cold food and beverage products sold to or by a certificated or licensed air carrier with a hub operation within this state.

By Senator Teague:

S. 530. To provide that public entities shall adopt policies relating to attendance of employees at meetings.

By Senator Teague:

S. 529. To establish the Alabama veteran's service medal to honor certain military veterans; to prescribe qualifications and eligibility; to provide for the design of the medal and a commission to make the determination on the design; to provide that all costs necessary or incident to implementing the provisions of this act shall be paid from any appropriations made to the department of veterans affairs for the current fiscal year and each fiscal year thereafter; and to prescribe the powers and duties of the director of the department of veterans affairs.

Senator Smith (B), Chairperson of the Standing Committee on Industrial Expansion, Economic Growth, and Jobs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senators Barron and deGraffenried:

S. 473. To create the Alabama Competitive Export Corporation; to establish a board of directors of the corporation, provide for the selection and terms of office of the board, and procedures for operation of the board; to describe the purposes, duties and powers of the corporation; to provide for the issuance of bonds by the corporation for such programs authorized by this act; to provide a program for interest subsidies, grants, loans and guarantees from program funds; to authorize the acquisition of insurance for bonds issued pursuant to the act; to establish an insurance fund; to provide programs for technical and management assistance, counseling and research; to exempt certain bonds of the corporation from requirements imposed by the Code of Alabama; and to require annual audits and reports and other matters related thereto.

Senator Smith (B), Chairperson of the Standing Committee on Industrial Expansion, Economic Growth, and Jobs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Smith (B) (With Amendment):

S. 547. To provide for the incorporation of the Alabama Space Science Exhibit Finance Authority; to provide for the Authority's members, officers and directors; to empower the Authority to acquire and hold title to real and personal property and to sell, convey or lease that property; to provide for the leasing of facilities owned by the Authority to certain entities; to authorize the sale and issuance of bonds and refunding bonds by the Authority and to grant mortgages upon security interests in its facilities and to pledge for payment on its bonds the rents and revenues from such facilities; to provide the Authority has the same power of eminent domain as the State; to provide temporary loans in anticipation of the issuance of bonds; to provide for the disposition of proceeds from the sale of bonds issued by the Authority; to provide that the principal of, premium, if any, and interest on the bonds shall be secured by rents and revenues of facilities, proceeds from the sale of the facilities, unexpended bond proceeds, insurance proceeds and/or mortgage or security interest in the facilities; to exempt the property of the Authority from taxation; to provide that venue for any action arising out of this Act shall be the circuit court of Madison County, Alabama; to provide for dissolution of the Authority; to exempt the Authority from the competitive bid law; to exempt the Authority from the Sunset Law; to provide that the provisions of the Act are severable; and to provide an effective date.

Senator Holmes, Chairperson of the Standing Committee on Small Business, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Foshee:

S. 545. To amend Sections 14-7-7, 14-7-8, 14-7-10, 14-7-12, 14-7-16 and 14-7-22, Code of Alabama 1975, relating to prison-made goods, so as to provide further for effective inmate work programs and to exempt such programs from certain provisions of the state competitive bid law; and to exempt certain personnel employed in the prison-made goods programs from the merit system law.

By Senators Amari, Bennett, and Horn:

S. 555. Relating to retail table wine licenses; to amend the Alcoholic Beverage Licensing Code, Chapter 3A, Title 28, Code of Alabama 1975, by amending §§ 28-3A-14 and 28-3A-15, Code of Alabama 1975, to authorize retail table wine licensees to deliver table wine in unopened original containers to the customer's premises, and by amending § 28-3A-21 to fix an additional license fee of \$50.00 for the delivery privilege, and by amending §§ 28-3A-14 and 28-3A-15, Code of Alabama 1975, to conform to the statewide effect of the Alabama Table Wine Act.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Hand (With Notice and Proof):

S. 588. Relating to Baldwin County; providing for the reidentification of registered voters in such county; prescribing the procedure for the reidentification of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

By Senator Hand (With Notice and Proof):

S. 589. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Summerdale, in Baldwin County.

By Senator Hand (With Notice and Proof):

S. 590. Relating to Baldwin County; authorizing the sheriff to accept certain private contributions; providing for the placement and distribution of said contributions and providing for its retroactive effect.

By Rep. Thomas (With Notice and Proof):

H. 618. Relating to Lowndes County; suspending the implementation of the provisions of Act No. 85-740, H. 900, 1985 Regular Session, as amended by Act No. 85-827, S. 150, 1985 2nd Special Session, until January 1, 1987.

By Rep. Thomas (With Notice and Proof):

H. 617. Relating to Lowndes County; providing for a chief clerk and clerk for the probate judge; and prescribing the duties and setting the salaries for such clerks; providing for the hiring of a part-time clerk; repealing Act No. 119, H. 115, of the 1978 Special Session (Acts 1978, p. 1835), Act No. 316, H. 719, of the 1939 Regular Session (Acts 1939, p. 205) and Act No. 40, H. 215 of the 1951 Regular Session (Acts 1951, p. 248).

By Rep. Nicholson (With Notice and Proof):

H. 532. Relating to Walker County; to amend Act 83-428, Senate Bill 355, Regular Session, 1983 (Acts of Alabama, 1983, Volume 1, pages 607-608) so as to provide the Walker County Board of Education the authority to establish the salary of the Superintendent of Education of Walker County.

By Rep. Mitchell (With Notice and Proof):

H. 663. Relating to Pickens County; providing further for the expense allowance and salary of the county coroner.

By Rep. Mitchell (With Notice and Proof):

H. 662. Relating to Pickens County, providing further for the procedure for selling and redeeming lands for taxes.

By Senator Langford (With Notice and Proof):

S. 575. To provide for the filing for record and the preservation of all orders and judgments made and entered by any judge of the circuit court of the 15th Judicial Circuit of Alabama, and to provide that such judgments or orders shall have the same force and effect as minutes of the circuit court of said circuit prior to the passage and approval of this act and to provide for retroactive effect.

Senator Parsons, Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Bennett, Parsons, and Cabaniss (With Notice and Proof):

S. 353. Relating to Jefferson County; providing for the reidentification of each qualified elector in the county providing that no re-registration or registration of electors will occur within 21 days prior to an election.

By Senator Hilliard (With Notice and Proof):

S. 317. To provide for and create a public corporation for the purposes of flood control in circumstances affecting urban areas in Jefferson County, Alabama, to be known as the Jefferson County Flood Control Authority, with its principal office to be located in the City of Birmingham; to provide for a board of directors, prescribe the method of appointment and compensation of directors, their duties, powers, and authority, including the employment of employees, attorneys, architects, engineers, consultants, and agents; to authorize the State of Alabama, and counties and municipalities therein, to contract with and to appropriate funds to such Authority and to issue general obligation or revenue bonds or warrants to finance projects contracted for; to provide that the debts and obligations of the Authority shall not be the debts or obligations of the State of Alabama, or any county or municipality therein; to exempt the Authority and its property from state, county, and municipal taxation; to make the provisions thereof severable; and, to provide an effective date of the Act.

By Senators Parsons and Horn (With Notice and Proof):

S. 455. Relating to Jefferson County; to amend Section 13(e) of Act 497 of the Regular Session of the Legislature of Alabama of 1965 as amended by Act No. 81-1060 of the Second Special Session of the Legislature of Alabama of 1981 to provide that the term "another pension system" as used herein shall mean a pension system established by or under a law of the State of Alabama for public officers or public employees other than the pension system established by this Act and which proscribes or otherwise does not allow for voluntary withdrawal by the members thereof; to authorize the Pension Board of the General Retirement System for Employees of Jefferson County to establish rules and regulations to authorize former members of the Pension System who withdraw from the Pension System under the authority provided by Section 13(e) of Act No. 497 of the Regular Session of the Legislature of Alabama as amended by Act No. 81-1060 of

the Second Special Session of the Legislature of Alabama of 1981 a one-time opportunity to rejoin the Pension System as a new member and without credit for any previous paid time or previous unpaid time in the Pension System.

By Senator Amari (With Notice and Proof):

S. 549. Relating to Jefferson County; providing a uniform compensation schedule for all law enforcement officers in the sheriff's department.

By Senator Amari (With Notice and Proof):

S. 583. Relating to Jefferson County; providing further for the compensation of the executive assistant to the Sheriff of Jefferson County.

By Senator Amari (With Notice and Proof):

S. 584. Relating to Jefferson County; to amend Section 2 of Act No. 84-616 of the Legislature of Alabama of 1984 relating to the compensation of the executive assistant to the Sheriff of Jefferson County so as to provide clarification of said compensation of the executive assistant.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Bedsole (With Notice and Proof):

S. 501. Relating to Mobile County; to provide for a minimum annual salary for supernumerary tax collectors.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Reps. Zoghby, Turner, and Marietta (With Notice and Proof) (With Amendment):

H. 126. Relating to further duties of the Mobile County Commission and providing financial reports for distribution; providing that the provisions of the act shall be cumulative to any and all other laws relating to the duties of the chairman and members of the county commission.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Turner (With Notice and Proof):

H. 231. Relating to Mobile County, to provide for the deposit of moneys collected by the Mobile County License Commissioner and other elected officials in Mobile County.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Reps. Gaston, Kavaleim, Box, Buskey (JE), Zoghby, and Turner (With Notice and Proof) (With Amendment):

H. 267. Relating to the City of Mobile; to provide for the disclosure of campaign contributions for candidates of city government.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Kvalheim, Gaston, Turner, Harper, Zoghby, Kennedy, and Box (With Notice and Proof):

H. 295. Relating to Mobile County; providing for a singular appropriation, in addition to any and all other appropriations, to the Azalea Trail Festival, Inc., from funds received by the county for the City of Mobile, for the fiscal year ending September 30, 1986, from the additional state sales tax levied on alcoholic beverages by Sections 28-3-280 and 28-3-281, Code of Alabama 1975.

## RESOLUTIONS

Senators Foshee, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Goodwin, Hand, Hilliard, Holmes, Horn, Langford, Little, Menton, Mitchem, Parsons, Sanders, Smith (B), Smith (J) Strong, and Teague offered the following Senate Resolution, to-wit:

S. R. 229. URGING CBS AND NCAA TO MAKE AN EXCEPTION IN CONTRACTURAL AGREEMENTS THAT PROHIBIT THE LIVE TELECASTS OF BOTH THE ALABAMA AND AUBURN TOURNAMENT SEMI-FINAL BASKETBALL GAMES.

Which was adopted.

Senators Foshee and Covington offered the following Senate Joint Resolution, to-wit:

S. J. R. 230. CREATING THE JOINT INTERIM COMMITTEE ON CAMPUS SECURITY.

WHEREAS, the Alabama Legislature most vehemently condemns the outrageous terrorist actions against United States citizens across the globe; and

WHEREAS, terrorist activities have claimed the lives and denied liberty and human dignity to Alabamians, Americans and other citizens; and

WHEREAS, such bestial conduct outrageously offends the civilized societies throughout the world and requires all peoples to take appropriate action to protect its citizens; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do hereby create the Legislative Joint Interim Committee on Campus Security which shall be composed of six members from the members of the House of Representatives appointed by the Speaker of the House and six members of the Senate appointed by the Lieutenant Governor. Said members shall elect a chairman and co-chairman from among its members; shall meet at the call of the

chair and shall formulate its own rules and regulations for the conduct of its affairs.

RESOLVED FURTHER, That, the said committee shall investigate the safety and security of students on all two-year and four-year public institutions, public colleges and public universities which receive state appropriations, including, but not limited to: an accounting of all aliens attending such institutions, whether such persons are legally within the state borders, and whether or not such persons are conducting or participating in any subversive activities, or belong to any group or sect which is conducting terrorist activities against the United States; the sponsor of aliens and their relationship to campus safety or security; any criminal or civil arrests of such persons and all other relative facets which affect campus safety and security in the judgment of the committee. Said committee shall have the authority to call and examine witnesses, subpoena records and documents, administer oaths and shall request the state attorney general to prosecute any person violating the provisions of this act pursuant to the laws of this state, or fine for contempt any person who shall refuse to testify or produce records and documents. Each legislator shall be entitled to his or her regular legislative compensation, per diem, and travel expenses within and without the state, for each day on business of the committee, which expenses shall be paid out of any funds appropriated to the use of the legislature, upon warrants drawn on the state comptroller upon requisition signed by the committee chairman; provided, however, no legislator shall receive any additional legislative compensation, travel or per diem pursuant to this act if such member is being paid any other legislative payments on the same dates for attendance of other state business. Any out of state travel shall first be approved by the chairman and the respective appointing officers of the House of Representatives and the Senate. The committee shall be entitled to the cooperation of all state agencies and two-year and four-year public institutions of higher education and shall be authorized to employ such clerical and expert assistance as it may find necessary in performing its duties.

RESOLVED FURTHER, That the committee shall report its findings and make recommendations to the legislature no later than the fifth legislative day of the next regular session at which time it shall stand discharged and released from any further duties, responsibilities or authority.

BE IT FURTHER RESOLVED, That the chairman of the committee shall report to the appropriate district attorney of the circuit of jurisdiction any information relative to criminal or terrorist actions.

BE IT FURTHER RESOLVED, That copies of this resolution be sent forthwith to the President of each two-year and four-year public institution of higher learning, the Office of Prosecution Services and the Attorney General of the State of Alabama.

On motion of Senator Foshee, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 231. COMMENDING MARGUERITE CORDELIA DOBBINS LACEY OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE AND PROFESSIONAL ACHIEVEMENT.

Also:

S. R. 232. COMMENDING JOHN WITHERSPOON WOODS OF BIRMINGHAM, ALABAMA.



Also:

S. R. 233. COMMENDING WILLIAM MARSHALL HARBORTH.

Also:

S. R. 234. COMMENDING JOE HALE RITCH, PROMINENT HUNTSVILLE ATTORNEY.

Also:

S. R. 235. COMMENDING BRICE RANDAL ALSUP OF MADISON, ALABAMA, FOR OUTSTANDING SERVICE TO THE COMMUNITY.

Which were filed.

Senator Strong offered the following Senate Resolution, to-wit:

S. R. 236. HONORING THE LATE JOSEPH LEE DAVIS, JR., OF THOMASVILLE, ALABAMA.

Which was filed.

Senators Bedsole, Aldridge, Amari, Bailey, Barron, Bedford, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Horn, Langford, Little, Menton, Mitchem, Parsons, Sanders, Smith (B), Smith (J), Strong, and Teague offered the following Senate Resolution, to-wit:

S. R. 237. MOURNING THE DEATH OF RUSSELL HAMPTON BOUNDS OF MOBILE, ALABAMA.

Which was filed.

### BUDGET ISOLATION RESOLUTION

On motion of Senator Little, the Rules were suspended and the B. I. R., H. B. 643, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton
Aldridge	Denton	Hand	Mitchem
Amari	Dial	Holmes	Parsons
Barron	Dixon	Horn	Smith (B)
Bedsole	Drinkard	Langford	Smith (J)
Bennett	Ellis	Little	Teague
Cabaniss	Figures		

—25

*Nays:*

—0

### BILLS ON THIRD READING

THE BILL:

H. 643. Relating to Lee County, to provide further for a pistol permit fee in said county and the disposition and use of the proceeds of said fee, and to specifically repeal Act 972, H. 1407, Regular Session 1969 (Acts 1969, p. 1718), as amended.

was read a third time at length and passed.

Yeas 25; Nay 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Aldridge	Denton	Hand	Mitchem	
Amari	Dial	Holmes	Parsons	
Barron	Dixon	Horn	Smith (B)	
Bedsole	Drinkard	Langford	Smith (J)	
Bennett	Ellis	Little	Teague	
Cabaniss	Figures			—25

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

On motion of Senator Dixon, the Rules were suspended and the B. I. R., H.B. 538, was adopted.

Yeas 25, Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Aldridge	Denton	Hand	Mitchem	
Amari	Dial	Holmes	Parsons	
Barron	Dixon	Horn	Smith (B)	
Bedsole	Drinkard	Langford	Smith (J)	
Bennett	Ellis	Little	Teague	
Cabaniss	Figures			—25

*Nays:* —0

### BILLS ON THIRD READING RESUMED

#### THE BILL:

H. 538. To authorize the City of Montgomery, Montgomery County, Alabama, to establish an Enterprise Zone in the area of pervasive poverty, unemployment and economic distress and to carry out programs to encourage private investment and to create jobs in such areas, and to authorize agencies of such city, the county governing body and state and county agencies to carry out similar programs in such Enterprise Zone, including, but not limited to, reduction of tax rates, license rates and fees, improvement of public services and reduction and modification of regulatory requirements within such zone, and to provide other services and to modify other requirements as may be necessary or desirable to qualify for financial assistance to such city or private entities within such zone under any Act of the Congress of the United States heretofore or hereafter enacted.

was read a third time at length and passed.

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Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Hand	Menton
Aldridge	Dial	Hilliard	Mitchem
Amari	Dixon	Holmes	Parsons
Barron	Drinkard	Horn	Smith (B)
Bedsole	Ellis	Langford	Smith (J)
Bennett	Figures	Little	Teague
Cabaniss	Foshee		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

On motion of Senator Langford, the Rules were suspended and the B. I. R., H. B. 594, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Mitchem
Aldridge	Denton	Hand	Parsons
Amari	Dial	Holmes	Smith (B)
Barron	Dixon	Horn	Smith (J)
Bedsole	Drinkard	Langford	Strong
Bennett	Ellis	Little	Teague
Cabaniss	Figures		

—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 594. Relating to Montgomery County; to establish a Retired Employees' Death Benefit Fund on behalf of the retired members of the Montgomery County Retirement System; provide for claims; provide for funding and provide for beneficiary changes associated with the Death Benefit Fund.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Mitchem
Aldridge	Denton	Hand	Parsons
Amari	Dial	Holmes	Smith (B)
Barron	Dixon	Horn	Smith (J)
Bedsole	Drinkard	Langford	Strong
Bennett	Ellis	Little	Teague
Cabaniss	Figures		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

On motion of Senator Covington, the Rules were suspended and the B. I. R., H. B. 577, was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Figures	Menton
Aldridge	Covington	Foshee	Mitchem
Amari	Denton	Hand	Parsons
Barron	Dial	Hilliard	Smith (B)
Bedsole	Dixon	Holmes	Smith (J)
Bennett	Drinkard	Little	Teague
Cabaniss	Ellis		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 577. To authorize the governing body of Butler County, Alabama, to levy and collect special county privilege and license taxes, paralleling the state sales taxes provided for in Division 1 of Article 1 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, and special county excise taxes paralleling the state use taxes provided for in Article 2 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, upon approval of the electors of the county at an advisory referendum; to specify the rates at which such taxes may be levied; to provide for the ascertainment, collection, payment, and distribution and use of the proceeds of the said taxes if levied by the said governing body; to provide for the enforcement of this act by the State Department of Revenue; and to provide for an election to determine if a majority of the electors voting at said election favor authorizing the governing body to levy such taxes.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Figures	Menton
Aldridge	Covington	Foshee	Mitchem
Amari	Denton	Hand	Parsons
Barron	Dial	Hilliard	Smith (B)
Bedsole	Dixon	Holmes	Smith (J)
Bennett	Drinkard	Little	Teague
Cabaniss	Ellis		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Strong, B. I. R., H. B. 158, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Little
Aldridge	Cabaniss	Figures	Menton
Amari	Cooley	Foshee	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Strong
Bedsole	Dixon	Horn	Teague
Bennett	Drinkard		

—25

Nays:

—0

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Senator Foshee, B. I. R., S. B. 448, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Ellis	Little	
Aldridge	Cabaniss	Figures	Menton	
Amari	Cooley	Foshee	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Strong	
Bedsole	Dixon	Horn	Teague	
Bennett	Drinkard			—25

*Nays:* —0

Senator Strong, B. I. R., H. B. 161, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Ellis	Little	
Aldridge	Cabaniss	Figures	Menton	
Amari	Cooley	Foshee	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Strong	
Bedsole	Dixon	Horn	Teague	
Bennett	Drinkard			—25

*Nays:* —0

Senator Strong, B. I. R., H. B. 264, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Ellis	Little	
Aldridge	Cabaniss	Figures	Menton	
Amari	Cooley	Foshee	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Strong	
Bedsole	Dixon	Horn	Teague	
Bennett	Drinkard			—25

*Nays:* —0

Senator deGraffenried, B. I. R., S. B. 540, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Ellis	Little	
Aldridge	Cabaniss	Figures	Menton	
Amari	Cooley	Foshee	Mitchem	
Bailey	deGraffenried	Hand	Parsons	
Barron	Denton	Holmes	Strong	
Bedsole	Dial	Horn	Teague	
Bennett	Dixon			—25

*Nays:* —0

Senator Hilliard, B. I. R., S. B. 283, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Figures	Little	
Aldridge	Cabaniss	Foshee	Menton	
Amari	Cooley	Hand	Mitchem	
Bailey	Denton	Hilliard	Parsons	
Barron	Dial	Holmes	Strong	
Bedsole	Dixon	Horn	Teague	
Bennett	Ellis			—25

*Nays:* —0

Senator Hilliard, B. I. R., S. B. 318, adopted.

Yeas 19, Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Aldridge	Corbett	Hand	Parsons	
Bailey	Covington	Hilliard	Smith (B)	
Barron	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Little	Strong	—19

*Nays:* —0

Senator Sanders, B. I. R., S. B. 424, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Ellis	Little	
Aldridge	Cooley	Foshee	Menton	
Amari	Corbett	Hand	Mitchem	
Barron	Denton	Holmes	Parsons	
Bedsole	Dial	Horn	Strong	
Bennett	Dixon	Langford	Teague	
Bishop	Drinkard			—25

*Nays:* —0

Senator Sanders, B. I. R., S. B. 493, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Ellis	Little	
Aldridge	Cooley	Foshee	Menton	
Amari	Corbett	Hand	Mitchem	
Barron	Denton	Holmes	Parsons	
Bedsole	Dial	Horn	Strong	
Bennett	Dixon	Langford	Teague	
Bishop	Drinkard			—25

*Nays:* —0

Senator Bedford, B. I. R., S. B. 551, adopted.

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Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Little	
Amari	Corbett	Hand	Menton	
Barron	Denton	Hilliard	Mitchem	
Bedsale	Dial	Holmes	Parsons	
Bennett	Dixon	Horn	Strong	
Bishop	Drinkard	Langford	Teague	
Cabaniss	Ellis			—25

*Nays:* —0

Senator Holmes, B. I. R., H. B. 278, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Little	
Amari	Corbett	Hand	Menton	
Barron	Denton	Hilliard	Mitchem	
Bedsale	Dial	Holmes	Parsons	
Bennett	Dixon	Horn	Strong	
Bishop	Drinkard	Langford	Teague	
Cabaniss	Ellis			—25

*Nays:* —0

Senator Holmes, B. I. R., H. B. 357, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Little	
Amari	Corbett	Hand	Menton	
Barron	Denton	Hilliard	Mitchem	
Bedsale	Dial	Holmes	Parsons	
Bennett	Dixon	Horn	Strong	
Bishop	Drinkard	Langford	Teague	
Cabaniss	Ellis			—25

*Nays:* —0

Senator Strong, B. I. R., H. B. 413, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Figures	Little	
Amari	Corbett	Foshee	Menton	
Barron	Denton	Hand	Mitchem	
Bedsale	Dial	Holmes	Parsons	
Bennett	Dixon	Horn	Strong	
Bishop	Drinkard	Langford	Teague	
Cabaniss	Ellis			—25

*Nays:* —0

On motion of Senator Barron, the Rules were suspended and the B. I. R., S. B. 552, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Little	
Amari	Denton	Hand	Menton	
Bailey	Dial	Hilliard	Mitchem	
Barron	Dixon	Holmes	Parsons	
Bedsole	Drinkard	Horn	Strong	
Bennett	Ellis	Langford	Teague	
Bishop	Figures			—25

*Nays:* —0

On motion of Senator Covington, the Rules were suspended and the B. I. R., H. B. 27, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Figures	Little	
Amari	Covington	Foshee	Menton	
Barron	Denton	Hand	Mitchem	
Bedsole	Dial	Holmes	Parsons	
Bennett	Dixon	Horn	Strong	
Bishop	Drinkard	Langford	Teague	
Cabaniss	Ellis			—25

*Nays:* —0

On motion of Senator Covington, the Rules were suspended and the B. I. R., H. B. 555, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Figures	Little	
Amari	Covington	Foshee	Menton	
Barron	Denton	Hand	Mitchem	
Bedsole	Dial	Holmes	Parsons	
Bennett	Dixon	Horn	Strong	
Bishop	Drinkard	Langford	Teague	
Cabaniss	Ellis			—25

*Nays:* —0

On motion of Senator Covington, the Rules were suspended and the B. I. R., H. B. 578, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Figures	Little	
Amari	Covington	Foshee	Menton	
Barron	Denton	Hand	Mitchem	
Bedsole	Dial	Holmes	Parsons	
Bennett	Dixon	Horn	Strong	
Bishop	Drinkard	Langford	Teague	
Cabaniss	Ellis			—25

*Nays:* —0



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On motion of Senator Covington, the Rules were suspended and the B. I. R., H. B. 524, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Figures	Little	
Amari	Covington	Foshee	Menton	
Barron	Denton	Hand	Mitchem	
Bedsole	Dial	Holmes	Parsons	
Bennett	Dixon	Horn	Strong	
Bishop	Drinkard	Langford	Teague	
Cabaniss	Ellis			—25

*Nays:* —0

On motion of Senator Covington, the Rules were suspended and the B. I. R., H. B. 320, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Figures	Little	
Amari	Covington	Foshee	Menton	
Barron	Denton	Hand	Mitchem	
Bedsole	Dial	Holmes	Parsons	
Bennett	Dixon	Horn	Strong	
Bishop	Drinkard	Langford	Teague	
Cabaniss	Ellis			—25

*Nays:* —0

On motion of Senator Smith (J), the Rules were suspended and the B. I. R., S. B. 556, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Hand	Mitchem	
Amari	Cooley	Hilliard	Parsons	
Bailey	Denton	Holmes	Smith (B)	
Barron	Dial	Horn	Smith (J)	
Bedsole	Dixon	Little	Strong	
Bennett	Ellis	Menton	Teague	
Bishop	Foshee			—25

*Nays:* —0

On motion of Senator Covington, the Rules were suspended and the B. I. R., H. B. 321, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Figures	Little	
Amari	Cooley	Foshee	Menton	
Bailey	Covington	Hand	Mitchem	
Barron	Denton	Hilliard	Parsons	
Bedsole	Dial	Holmes	Strong	
Bennett	Dixon	Horn	Teague	
Bishop	Ellis			—25

*Nays:* —0

On motion of Senator Bailey, the Rules were suspended and the B. I. R., H. B. 597, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Figures	Langford	
Amari	Cooley	Foshee	Little	
Bailey	Denton	Hand	Menton	
Barron	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Strong	
Bennett	Drinkard	Horn	Teague	
Bishop	Ellis			—25

*Nays:* —0

On motion of Senator Drinkard, the Rules were suspended and the B. I. R., S. B. 546, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Figures	Langford	
Amari	Cooley	Foshee	Little	
Bailey	Denton	Hand	Menton	
Barron	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Strong	
Bennett	Drinkard	Horn	Teague	
Bishop	Ellis			—25

*Nays:* —0

## RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 238. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the twentieth legislative day of the 1986 Regular Session only:

Inst Id		Page
H. 132	Municipal gov't. cap. imp. fund created to fund municipalities from oil and gas royalties	80
S. 41	Real estate cos., brokers and salesmen, reg., annual license fees reg. further, Sec. 34-27-35 am'd.	19
S. 431	Industrial Relations Dept., approp. of cert. fed. social security funds	86
S. 238	Constit. Amend. exemption Birmingham Stallions Football Team from taxes for five years.	54
S. 78	Permanent state employee reimbursed for actual moving expenses, Sec. 36-7-40 am'd.	5
S. 373	Judicial Building Authority estab., auth. issue bonds	32

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S. 142	Airlines, tax exemptions to encourage large airlines to set up operations in the st., Secs. 40-9-1, 40-12-223, 40-14-41, 40-17-31, 40-23-4, 40-23-62 am'd.	17
S. 285	Class 1 muns., (Birmingham), Alabama Civil Rights Institute, estab.	44
S. 69	Alabama Public Library Service bd., membs. incr., based on congressional dists., Sec. 41-8-2 am'd.	46
S. 216	Prisoners of War Thrift Shops exempted from payment of all st., Co. & mun. sales and use tax, Sec. 40-9-13 am'd.	87
S. 151	Volunteer firemen, comp. for death alt., Sec 36-30-2 am'd.	33
S. 137	Tenure; granted after one year if teacher already had tenure in another school system, Sec. 16-24-2 am'd.	30
S. 261	School Support Personnel examined every three years, freq. set by st. brd. ed., Sec. 16-22-3 am'd.	60
S. 476	Judicial Retirement system, benefits increased, Sec. 12-18-87 am'd.	73
S. 338	Alabama Publications Clearinghouse and St. Publications Depository Program, estab., division of Ala. Pub. Library Service, duties, Secs. 41-13-20, 41-13-21 repealed	39
S. 260	Public holidays, National Memorial Day added and Mardi Gras discontinued, Sec. 1-3-8 am'd.	38
S. 263	Private bus service, muns. to regulate	41
S. 376	Lottery materials, manufacture of, exempt from gambling offenses.	33
S. 460	Criminal Justice Information Center, dir. auth. appt. cert. employees as law enforcement officers, Sec. 41-9-621 am'd.	79
S. 266	Oil and gas drilling equipment used in federal waters, tax exempt, Secs. 40-23-4, 40-23-62 am'd.	89
H. 207	Class 6 muns., optional forms of city gov't, provid.	70
S. 104	Board of Education, purchase educ. materials for children enrolled in the state public kindergartens, Secs 16-36-7 and 16-36-27, am'd.	82
S. 409	Veterans' Affairs Board membership expanded to include American Ex-Prisoners of War, Inc., Sec. 31-5-3 am'd.	77
S. 291	Sickle cell anemia, testing for provided, Sec. 22-20-3 am'd.	60
S. 2	Schools, classroom size, limited to 20 pupils	30

- |        |   |    |
|--------|---|----|
| S. 131 | State textbook committee, increase teachers on; require open meetings. Sections 16-36-2 and 13A-14-2 am'd.                | 7  |
| S. 251 | Grain dealers, bonding of, req., Sec. 2-31-4 am'd., Sec. 2-31-2 repealed.   | 21 |
| S. 282 | Alabama St. Employees Association, Alabama Retired St. Employees Association, membs. may join Teachers' Retirement System | 90 |

On motion of Senator Bishop, the Resolution was adopted by the Senate.

### UNFINISHED BUSINESS

#### BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 185. To create the County Government Capital Improvement Fund; to make certain annual appropriations to such fund from the General Fund of the State based upon the amounts of income from the investment of certain moneys derived by the State from the leasing of rights in and royalty payments from offshore oil, gas and other hydrocarbon minerals; to provide for the distribution of such appropriations among county governments; and to provide for the uses to which such moneys shall be put.

and pending Smith (B) amendment No. 2, having been set out in the Journal of the Senate for the Nineteenth Legislative Day, and postponed subject to the call of the Chair.

On motion of Senator Bishop, further consideration of the Bill, H. B. 185, and pending amendment was postponed for one Legislative Day as Unfinished Business.

### SPECIAL ORDER

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 132. To create the Municipal Government Capital Improvement Fund; to make certain annual appropriations to such fund from the General Fund of the State based upon the amounts of income from the investment of certain moneys derived by the State from the leasing of rights in and royalty payments from offshore oil, gas and other hydrocarbon minerals; to provide for the distribution of such appropriations among incorporated municipalities; and to provide for the uses to which such monies shall be put.

On motion of Senator Bishop, further consideration of the Bill, H. B. 132, was postponed for one Legislative Day as Unfinished Business.

#### THE BILL:

S. 41. To amend Section 34-27-35 of the Code of Alabama 1975, relating to the regulation of real estate companies, brokers, and salesmen, so as to provide further for annual license fees.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	deGraffenried	Hand	Parsons	
Aldridge	Denton	Holmes	Smith (B)	
Barron	Dixon	Horn	Smith (J)	
Cooley	Drinkard	Little	Strong	
Corbett	Foshee	Menton		—18

*Nays:* —0

**THE BILL:**

S. 431. To provide an appropriation of funds which are available to the Division of Employment Security of the Alabama Department of Industrial Relations out of funds credited to this State's account in the Unemployment Trust Fund by the Secretary of the Treasury of the United States of America pursuant to Section 903 of the Social Security Act, as amended, for the purpose of providing funds for the administration of the unemployment compensation and employment service programs as the director shall determine to be in the best interest of the State, and the total cost of which does not exceed the amount of this appropriation. Such funds are to be expended exclusively for the programs administered by the Division of Employment Security of the Department of Industrial Relations of the State of Alabama.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Parsons	
Aldridge	Dial	Holmes	Smith (B)	
Barron	Dixon	Horn	Smith (J)	
Cooley	Drinkard	Little	Strong	
deGraffenried	Foshee	Menton		—18

*Nays:* —0

**THE BILL:**

S. 238. Proposing an amendment to the Constitution of Alabama relating to the exemption of the Birmingham Stallions Football Team, Inc., of Jefferson County from all state, city and county taxes for a period of five years.

was taken up.

On motion of Senator Aldridge, further consideration of the Bill, S. B. 238, was postponed subject to the call of the Chair.

**THE BILL:**

S. 78. To amend Section 36-7-40 of the Code of Alabama 1975 so as to further provide for the reimbursement of state employees for moving expenses.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Covington	Hilliard	Mitchem	
Aldridge	deGraffenried	Holmes	Parsons	
Barron	Dixon	Horn	Smith (B)	
Cooley	Foshee	Little	Smith (J)	
Corbett	Hand	Menton		—18

*Nays:* —0**BUDGET ISOLATION RESOLUTION**

Senator Teague requested and received permission to suspend the Rules in order to offer B. I. R., S. B. 238.

And on motion of Senator Teague, the Rules were suspended and B. I. R., S. B. 238, was adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	deGraffenried	Hilliard	Parsons	
Aldridge	Dial	Holmes	Smith (B)	
Barron	Figures	Horn	Smith (J)	
Bennett	Foshee	Little	Teague	
Cooley	Hand	Menton		—18

*Nays:* —0**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Buskey (JE), Zoghby, Clark (W), Kennedy, Kvalheim, Box, Turner, Gaston, and Marietta:

H. J. R. 323. COMMENDING WILLIAMSON HIGH SCHOOL GIRLS BASKETBALL TEAM OF MOBILE, ALABAMA FOR WINNING THE ALABAMA 6-A BASKETBALL CHAMPIONSHIP.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator Menton, the Rules were suspended and the Resolution, H. J. R. 323, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

**BILLS ON THIRD READING RESUMED**

THE BILL:

S. 238. Proposing an amendment to the Constitution of Alabama relating to the exemption of the Birmingham Stallions Football Team, Inc.,

of Jefferson County from all state, city and county taxes for a period of five years.

was read a third time at length as required by the Constitution, and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Senators:	deGraffenried	Hilliard	Menton
Barron	Dial	Holmes	Parsons
Bedsole	Dixon	Horn	Smith (B)
Bennett	Figures	Langford	Smith (J)
Cooley	Foshee	Little	Teague
Corbett	Hand		

—21

Nays: —0

#### THE BILL:

S. 373. To authorize the Governor, the Director of Finance and the Chief Justice of the Supreme Court of the State of Alabama to become a public corporation to be known as Alabama Judicial Building Authority; to provide the procedure for incorporation; to designate the members, directors and officers of the Authority; to provide for meetings of the Authority; to prescribe the powers of the Authority, including the power to provide for the acquisition, construction, installation and equipping of judicial facilities which shall include one or more buildings and the site or sites therefor, the power of eminent domain, and the power to sell and issue a principal amount of bonds not to exceed \$40,000,000 for such purposes; to specify the application of the proceeds of the bonds of the Authority; to authorize the Authority to pledge such revenues from its leases as may be necessary to pay the principal of, premium, if any, and interest on its bonds; to empower the State Treasurer to disburse funds of the Authority; to provide for the lease of said judicial facilities to the Unified Judicial System for occupancy by its components including the Supreme Court, the Court of Civil Appeals, the Court of Criminal Appeals, the State Law Library and the Administrative Office of Courts; to provide for the investment of the proceeds from the sale of the bonds of the Authority; to authorize the issuance by the Authority of refunding bonds; to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge; to provide that all properties of the Authority and the income therefrom and all bonds issued and the income therefrom and all leases made and all lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues of the Authority and shall not create an obligation or debt of the State of Alabama; to provide that any bonds issued by the Authority may be used as security for State deposits and investment of public funds and fiduciary funds; to provide that no earnings of the Authority shall inure to private entities; and to provide for dissolution of the Authority and conveyance of its properties to the State of Alabama upon payment of said bonds.

was taken up.

On motion of Senator deGraffenried, further consideration of the Bill, S. B. 373, was postponed subject to the call of the Chair.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the Senate Bill:

S. 55. Relating to the Alabama Sunset Law; to continue the existence and functioning of the State Licensing Board of General Contractors as provided in Sections 34-8-1 through 34-8-27 of the Code of Alabama 1975; with certain modifications; to amend Sections 34-8-2 and 34-8-24, so as to provide that application fees for licenses will be nonrefundable and to provide further for meetings of the board.

And the Speaker of the House has appointed as Committee on part of the House Reps. Marietta, Hettinger, and Buskey (JL).

JOHN W. PEMBERTON,  
Clerk.

## FURTHER CONSIDERATION OF S. B. 373

The Senate proceeded to further consideration of the Bill, S. B. 373.

Senator Dixon offered the following amendment to the Bill, S. B. 373, to-wit:

## AMENDMENT TO S. B. 737

I move to amend Senate Bill No. 373, Page 22, Line 9, by inserting a new Section 27.

Section 27. Effective Date. This Act shall become effective upon its approval by the Governor or upon its otherwise becoming law, provided, however, the above effective date not withstanding No Bond issue can be let by the Authority until February 1, 1987.

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	Cabaniss	Figues	Menton	
Aldridge	Corbett	Hilliard	Smith (B)	
Amari	deGraffenried	Holmes	Smith (J)	
Bedsole	Dixon	Horn	Strong	
Bennett	Drinkard	Little		—18

Nays:

—0

And said Bill, S. B. 373, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 18; Nays 3.

Yeas:

Senators:	Corbett	Foshee	Menton	
Aldridge	Covington	Hilliard	Smith (B)	
Amari	deGraffenried	Holmes	Smith (J)	
Bedsole	Drinkard	Horn	Strong	
Bennett	Figures	Little		—18



*Nays:*

Senators: Cabaniss Dial Dixon —3

**REPORT OF COMMITTEE ON CONFERENCE  
ON S. B. 55**

We the Committee of Conference appointed to reconcile the disagreement between the two houses concerning the House's amendment to S. B. 55 have met, considered the bill as amended, and have agreed to the following report:

1. We recommend that the House recede from its amendment to the bill.
2. We recommend that the attached substitute bill be passed by both houses:

Respectfully submitted,

Stephen R. Hettinger,  
Beth Marietta,

Conferees on the part of the House.

Ryan deGraffenried, Jr.,  
E. Crum Foshee,  
Lowell Barron,

Conferees on the part of the Senate.

**SUBSTITUTE FOR S. B. 55, AS AMENDED**

**A BILL  
TO BE ENTITLED  
AN ACT**

Relating to the Alabama Sunset Law; to continue the existence and functioning of the State Licensing Board of General Contractors as provided in Sections 34-8-1 through 34-8-27 of the Code of Alabama 1975; with certain modifications; to amend Sections 34-8-2 and 34-8-24, so as to provide that application fees for licenses will be nonrefundable and to provide further for meetings of the board.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. It is declared that pursuant to the Alabama Sunset Law, Sections 41-20-1 through 41-20-16, Code of Alabama 1975, as amended, the Sunset Committee entered upon its duties and recommends the continuance of the Board of General Contractors created and functioning pursuant to Sections 34-8-1 through 34-8-27, Code of Alabama 1975, with the additional recommendations for statutory changes of the board as set out in Section 3 hereof.

Section 2. The existence and functioning of the Board of General Contractors, created pursuant to Sections 34-8-1 through 34-8-27 of the Code of Alabama 1975 are hereby continued, and such Code sections are hereby expressly continued.

Section 3. Sections 34-8-2 and 34-8-24 of the Code of Alabama 1975 are hereby amended to read as follows:

## “§34-8-2.

“(a) Any person desiring to be licensed or desiring a renewal of an existing license as a general contractor in this state shall make and file with the board, not less than 30 days prior to any regular or special meeting thereof, a written application on such form as may then be by the board prescribed for examination by the board, which application shall be accompanied by \$200.00 for a new application or \$100.00 in case of a renewal. The applicant shall apply for a license covering the type or types of contracts on which he wishes to perform, and the board shall classify contractors according to the type or types of contracts on which they may perform, within maximum bid limits, on the following basis: the applicant's request, his last annual financial statement prepared by a certified public accountant (C.P.A.), or by any independent licensed public accountant approved by the licensing board for general contractors, his previous experience, equipment and the facts in each case. An applicant shall not be so classified as to permit him to bid on or to perform a type of work not included in his request for a license. If the application is satisfactory to the board, then the applicant may be required to take an examination to determine his qualifications. If the result of the examination of the applicant is satisfactory to the board, the board shall then issue to the applicant a certificate to engage in general contracting in the state of Alabama, stipulating in each license issued the type or types of work the contractor is permitted to bid on or to perform under his license and also setting out a letter symbol indicating the maximum limits on which he is permitted to bid or to perform in a single contract. The maximum bid limits shall be set by the formula of not more than 10 times the net worth as shown by the applicant's latest financial statement and designated in the classification set out herein that is the closest to this amount. Should the applicant's financial statement fail to substantiate the limits requested, further consideration may be given to (1) the present market value in lieu of book value of listed assets when properly supported with substantiating evidence; and (2) a combined statement of the applicant that includes other wholly owned or substantially owned interests. When an applicant's statement qualifies for an amount in excess of classification 'E,' the limits shall then be set as classification 'U'—Unlimited. The following letter symbols indicate the maximum amount bid limits allowed a licensee on any one single contract undertaking:

A—Not to exceed .....	\$ 100,000.00
B—Not to exceed .....	250,000.00
C—Not to exceed .....	500,000.00
D—Not to exceed .....	1,000,000.00
E—Not to exceed .....	3,000,000.00
U—Unlimited .....	

“(b) Any person failing to pass such examination may be reexamined at any regular or call meeting of the board. The certificate of authority to engage in the business of general contracting in the state of Alabama shall expire on December 31 following its issuance or renewal and shall become invalid on that date unless renewed. Upon the renewal of a license, the board shall reclassify or confirm the license both as to the types of work and bid limits as specified in this section. A licensee may apply for and, on proof satisfactory to the board, may receive an increase in the amount of his bid limit or a change in his classification. Application for renewal of a license, together with the payment of a fee of \$100.00, received by the board at least 30 days prior to expiration, shall serve to extend the current license until

the board either renews the license or denies the application. At the discretion of the board, a limited license may be issued for a particular project.

"The sum or fee of \$200.00 accompanying original applications and sum or fee of \$100.00 accompanying applications for renewals under this section are for the administration and enforcement of the provisions of this chapter and shall not be refunded to the applicant.

"§34-8-24.

"The board shall have four regular meetings in each year, one in January, one in April, one in July and one in October, for the purpose of transacting such business as may properly come before it, and as many special or adjourned meetings as the board may deem necessary, on call of the chairman of the board. Special or adjourned meetings may be held at such time as the board may provide by the bylaws it shall adopt or at such time as the board may by reasonable resolution provide. Due notice of each meeting and the time and place thereof shall be given to each member by mail at least one week prior to said meeting. Three members of the board shall constitute a quorum. ~~All meetings of the board shall be held in the city of Montgomery, Alabama."~~

Section 4. The legislature concurs in the recommendations of the Sunset Committee as provided in Sections 1, 2 and 3 hereof.

Section 5. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional. such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws in conflict herewith are hereby repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

### CONFERENCE REPORT

On motion of Senator deGraffenried, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

S. 55. Relating to the Alabama Sunset Law; to continue the existence and functioning of the State Licensing Board of General Contractors as provided in Sections 34-8-1 through 34-8-27 of the Code of Alabama 1975; with certain modifications; to amend Sections 34-8-2 and 34-8-24, so as to provide that application fees for licenses will be nonrefundable and to provide further for meetings of the board.

Yeas 18; Nays 0.

Yeas:

Senators:	deGraffenried	Hand	Menton	
Aldridge	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Smith (B)	
Bennett	Figures	Horn	Strong	
Corbett	Foshee	Little		—18

Nays: —0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 142. To grant tax exemptions for the benefit of certain air carriers; to exempt from the tax levied by Article 6 of Chapter 3 of Title 28 of the Code of Alabama 1975 on the sale of spirituous or vinous liquors certain sales of spirituous or vinous liquors to a certificated or licensed air carrier with "a hub operation within this state," as herein defined; to amend Section 40-9-1, Code of Alabama 1975, by adding subdivision (24) to exempt from ad valorem tax all aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-12-223, Code of Alabama 1975, by adding subdivision (13) to exempt from rental tax the gross proceeds accruing from the leasing or rental of aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-14-41, Code of Alabama 1975, by adding subdivision (d)(2)(E) to provide for a deduction from the amount of capital employed in the state for purposes of computing the franchise tax applicable to foreign corporations the amount invested by the taxpayer in all real and personal property, equipment, facilities, structures and components thereof including all aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-17-31, Code of Alabama 1975, by adding subdivision (d)(4) to exempt from excise tax gasoline or other fuel used to propel aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-4, Code of Alabama 1975, by adding subdivision (40) to exempt from sales tax the gross receipts from the sale of aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation with this state; to amend Section 40-23-4 by adding subdivision (41) to exempt from sales tax the gross receipts from the sale of hot or cold food and beverage products sold to or by a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-62, Code of Alabama 1975, by adding subdivision (32) to exempt from use tax the storage, use or other consumption of any aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; and to further amend Section 40-23-62, Code of Alabama 1975, by adding subdivision (33) to exempt from use tax the storage, use or other consumption of hot or cold food and beverage products sold to or by a certificated or licensed air carrier with a hub operation within this state.

was taken up.

On motion of Senator Parsons, further consideration of the Bill, S. B. 142, was postponed subject to the call of the Chair.

**THE BILL:**

S. 285. To authorize the incorporation of a public corporation to be known as the Alabama Civil Rights Institute to be located permanently in any Class 1 municipality, based on population according to the last federal

decennial census designated by the legislature of Alabama and the classes of municipalities created thereby pursuant to Section 110 of the Constitution of Alabama, as amended, including the City of Birmingham, Alabama, provided such be a Class I municipality at the time of the adoption hereof; to define its purposes; to provide a Board of Trustees of said institute composed of some trustees who serve ex officio, and who may appoint alternates to serve in their stead as provided in the act, and trustees appointed by certain public officials and to define the terms of all such trustees; to provide for suits by and against the institute in the corporate name; to provide that neither the state, the counties thereof nor any municipality therein, shall be liable for the debts or actions of the institute and that trustees thereof shall not be personally liable for actions of the institute or their actions as trustees, save to the institute itself; to provide for incorporation procedures and issuance of certificate of incorporation by the Secretary of State and the contents thereof; to provide for officers of the trustees, meetings thereof, and their compensation and reimbursement of expenses; to provide for the powers of the trustees including the power to acquire title to real and personal property or to lease the same, and to sell, lease or dispose of property surplus to its needs or to provide funds for carrying out its purposes; to provide to the institute such other powers as may be appropriate or necessary to carry out its purposes; to authorize the institute to solicit and accept donations of funds or property from private sources, to make such gifts and donations and all income and property of the institute tax exempt and deductible on state income tax returns, and to require trustees to comply with laws and regulations to make such deductible for federal income tax purposes; to authorize the state, its counties and municipalities therein to appropriate funds to the institute; to authorize the institute to contract and make cooperative agreements with federal, state and local governments and agencies thereof, and with private or public corporations, associations or individuals for any purpose of the institute; to authorize the institute to hire, or contract for, services of persons to perform certain tasks under such rules and regulations as the trustees may adopt; to require the institute to make annual reports to the Governor, the presiding officers of the legislature and other officials and persons; to make the provisions of the act severable; to repeal laws in conflict herewith; and to provide the effective date of the act.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 1.

*Yeas:*

Senators:	Corbett	Hilliard	Smith (B)	
Aldridge	Covington	Holmes	Smith (J)	
Bedsole	Drinkard	Horn	Strong	
Bennett	Figures	Little	Teague	
Cabaniss	Foshee	Menton		—18

Nay: Senator Amari —1

#### THE BILL:

S. 69. To amend Section 41-8-2, Code of Alabama 1975, relating to the board of the Alabama public library service, so as to increase the membership of the said board and to require that each congressional district be represented; to provide for filling vacancies and residential requirements.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 1.

*Yeas:*

Senators:	Bennett	Foshee	Menton	
Aldridge	Cabaniss	Hand	Smith (B)	
Amari	Corbett	Hilliard	Smith (J)	
Bailey	Dixon	Horn	Strong	
Bedsole	Drinkard	Little		—18

*Nay:* Senator Covington —1

### RESOLUTION

Senator Hand offered the following Senate Resolution, to-wit:

S. R. 239. COMMENDING LUCILLE ANDREWS OF FOLEY, ALABAMA, FOR OUTSTANDING CONTRIBUTIONS TO THE SOUTH BALDWIN CHAMBER OF COMMERCE.

Which was filed.

### BUDGET ISOLATION RESOLUTION

Senator Mitchem, B. I. R., S. B. 216, adopted.

Yeas 17; Nays 1.

*Yeas:*

Senators:	Cabaniss	Hand	Menton	
Aldridge	Covington	Holmes	Smith (B)	
Bailey	Dixon	Horn	Smith (J)	
Bedsole	Drinkard	Little	Strong	
Bennett	Foshee			—17

*Nay:* Senator Teague —1

### BILLS ON THIRD READING RESUMED

#### THE BILL:

S. 216. To amend Section 40-9-13, Code of Alabama 1975, which provides the exemption of The Prisoners of War Thrift Shops from the payment of all state, county and municipal sales and use taxes.

was taken up.

On motion of Senator Corbett, further consideration of the Bill, S. B. 216, was postponed subject to the call of the Chair.

#### THE BILL:

S. 151. To amend Section 36-30-2 of the Code of Alabama 1975, relating to compensation for death of peace officers, firemen and volunteer firemen, so as to provide further for compensation for certain disabled volunteer firemen and to provide for retroactive effect to November 1, 1983.

was taken up.

Senator Smith (J) offered the following substitute for the Bill, S.B. 151, to-wit:

**SUBSTITUTE FOR S. B. 151**

**A BILL  
TO BE ENTITLED  
AN ACT**

To amend Section 36-30-2 of the Code of Alabama 1975, relating to compensation for death of peace officers, firemen and volunteer firemen, so as to provide further for compensation for certain disabled firemen and to provide for retroactive effect to November 1, 1983.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. Section 36-30-2 of the Code of Alabama 1975 is hereby amended to read as follows:

“§36-30-2.

“In the event a peace officer or a fireman, or a volunteer fireman, who is a member of an organized volunteer fire department registered with the Alabama Forestry Commission, is killed, either accidentally or deliberately, or dies as a result of injuries received while engaged in the performance of his duties, his dependents shall be entitled to compensation in the amount of \$20,000.00 to be paid from the state treasury as provided in section 36-30-3, unless such death was caused by the willful misconduct of the officer or was due to his own intoxication or his willful failure or refusal to use safety appliances provided by his employer or his willful violation of a law or his willful breach of a reasonable rule or regulation governing the performance of his duties or his employment of which rule or regulation he had knowledge. Any peace officer, or any fireman, or volunteer fireman whose death results proximately and within ten years from any injury received while performing his duties shall, for the purposes of this article, be deemed to have been killed while in the performance of such duties. If the state health officer determines from all available evidence that a volunteer fireman, who is a member of an organized volunteer fire department registered with the Alabama Forestry Commission, has become totally disabled as a result of any injury such fireman received while engaged in the performance of his fire-fighting duties and said disability is likely to continue for more than 12 months from the date the injury is incurred, then such fireman shall be entitled to receive disability compensation in the amount of \$20,000.00 to be paid from the state treasury as provided in Section 36-30-3. The term total disability shall be interpreted to mean that the injured party is medically disabled to the extent that he cannot perform the duties of the job occupation or profession in which he was engaging at the time the injury was sustained. The state health officer may seek the assistance of any state agency in making the determination of disability and said state agencies shall cooperate with the state health officer in such regard. The state health officer shall render a decision within thirty (30) days of the time a claim is filed. If such volunteer fireman disagrees with any determination made by such health officer, he may appeal such determination to the state board of adjustment in accordance with such board's procedures for such appeals.”

Section 2. This act shall have retroactive effect to November 1, 1983.

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Smith (B)	
Aldridge	Corbett	Hand	Smith (J)	
Bailey	Covington	Holmes	Strong	
Bedsole	Dial	Little	Teague	
Bennett	Drinkard	Menton		—18

Nays: —0

And said Bill, S. B. 151, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 19; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Menton	
Aldridge	Corbett	Hand	Smith (B)	
Bailey	Covington	Holmes	Smith (J)	
Bedsole	Dial	Horn	Strong	
Bennett	Drinkard	Little	Teague	—19

Nays: —0

**THE BILL:**

S. 137. To amend Section 16-24-2, Code of Alabama, 1975, to allow county and city boards of education, upon the recommendation of the superintendent, to grant "continuing service status" to teachers who have completed at least one academic year of employment and who have had "continuing service status" previously granted in another school system.

was taken up.

On motion of Senator Cabaniss, further consideration of the Bill, S. B. 137, was postponed subject to the call of the Chair.

**THE BILL:**

S. 261. To amend Section 16-22-3, Code of Alabama, 1975, requiring examination for tuberculosis of school personnel by deleting the specific tests and frequency and adding the determination of same to be by rule of state board of health.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Parsons	
Aldridge	Covington	Holmes	Smith (B)	
Bedsole	deGraffenried	Horn	Smith (J)	
Bennett	Dixon	Little	Teague	
Cabaniss	Drinkard	Menton		—18

Nays: —0



MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 538. To authorize the City of Montgomery, Montgomery County, Alabama, to establish an Enterprise Zone in the area of pervasive poverty, unemployment and economic distress and to carry out programs to encourage private investment and to create jobs in such areas, and to authorize agencies of such city, the county governing body and state and county agencies to carry out similar programs in such Enterprise Zone, including, but not limited to, reduction of tax rates, license rates and fees, improvement of public services and reduction and modification of regulatory requirements within such zone, and to provide other services and to modify other requirements as may be necessary or desirable to qualify for financial assistance to such city or private entities within such zone under any Act of the Congress of the United States heretofore or hereafter enacted.

Also:

H. 577. To authorize the governing body of Butler County, Alabama, to levy and collect special county privilege and license taxes, paralleling the state sales taxes provided for in Division 1 of Article 1 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, and special county excise taxes paralleling the state use taxes provided for in Article 2 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, upon approval of the electors of the county at an advisory referendum; to specify the rates at which such taxes may be levied; to provide for the ascertainment, collection, payment, and distribution and use of the proceeds of the said taxes if levied by the said governing body; to provide for the enforcement of this act by the State Department of Revenue; and to provide for an election to determine if a majority of the electors voting at said election favor authorizing the governing body to levy such taxes.

Also:

H. 594. Relating to Montgomery County; to establish a Retired Employees' Death Benefit Fund on behalf of the retired members of the Montgomery County Retirement System; provide for claims; provide for funding and provide for beneficiary changes associated with the Death Benefit Fund.

Also:

H. 643. Relating to Lee County, to provide further for a pistol permit fee in said county and the disposition and use of the proceeds of said fee, and to specifically repeal Act 972, H. 1407, Regular Session 1969 (Acts 1969, p. 1718), as amended.

JOHN W. PEMBERTON,  
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the

foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### BILLS ON THIRD READING RESUMED

Senator deGraffenried requested and received permission to suspend the Rules in order to bring up the Bill:

S. 540. Relating to Tuscaloosa County and the Firemen's and Policemen's Pension and Relief Fund for the City of Tuscaloosa; further amending Sections 2, 4, 8, 9 and 10 of Act No. 328, H. 854 Regular Session 1959 (Acts 1959, p. 907), as last amended, which provide for the composition of the Board of Trustees and the conduct of its business, so as to provide further for the membership of such board and the manner of electing certain members of such board and the manner of conducting its business, and certain of the functions of the Secretary of the Board.

And said Bill, S. B. 540, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Little
Aldridge	deGraffenried	Hand	Menton
Bailey	Denton	Hilliard	Mitchem
Barron	Dial	Holmes	Parsons
Bedsole	Dixon	Horn	Strong
Bennett	Ellis	Langford	Teague
Bishop	Figures		

—25

*Nays:*

—0

### THE BILL:

S. 476. To amend §12-18-87, Code of Alabama 1975, to provide for an increase in service retirement and survivor benefits under the judicial retirement fund as it relates to probate judges.

was taken up.

On motion of Senator Corbett, further consideration of the Bill, S. B. 476, was postponed subject to the call of the Chair.

### THE BILL:

S. 338. To create a State Publications Depository Program for maximum availability and distribution of state publications to the public; to establish the Alabama Publication Clearinghouse, as a division of the Alabama Public Library Service, and to provide for its operations, duties and authority; to authorize the Alabama Public Library Service to make and implement reasonable rules and regulations; to establish the Advisory Council for the State Publications Depository Program and to provide for the membership, terms, duties, qualifications and powers; to define the duties and powers of the Alabama Department of Archives and History relative to the depository program for state publications and the distribution of microform products; to require each state agency to designate a publications officer from among its staff and to notify the said Clearinghouse of the designee, and to provide certain state documents and related information; to provide for the criteria

and eligibility of depositories, including the United States government depository libraries; to provide that funding be from appropriations made to the use of the Alabama Public Library Service; to provide for the said service to make reimbursement of certain reasonable costs of producing microforms by the Department of Archives and History; to repeal sections 41-13-20 and 41-13-21, Code of Alabama 1975, as amended, which established the State Records Commission and duties and conflicting laws.

was taken up.

The Standing Committee on Governmental Affairs reported the following substitute for the Bill, S. B. 338, to-wit:

**SUBSTITUTE FOR S. B. 338**

**A BILL  
TO BE ENTITLED  
AN ACT**

To create a State Publications Depository Program for maximum availability and distribution of state publications to the public; to establish the Alabama Publications Clearinghouse, as a division of the Alabama Public Library Service, and to provide for its operations, duties and authority; to authorize the Alabama Public Library Service to make and implement reasonable rules and regulations; to establish the Advisory Council for the State Publications Depository Program and to provide for the membership, terms, duties, qualifications and powers; to define the duties and powers of the Alabama Department of Archives and History relative to the depository program for state publications and the distribution of microform products; to require each state agency to designate a publications officer from among its staff and to notify the said Clearinghouse of the designee, and to provide certain state publications and related information; to provide for the criteria and eligibility of depositories, including the United States government depository libraries; to provide that funding be from appropriations made to the use of the Alabama Public Library Service; to provide for the said service to make reimbursement of certain reasonable costs of producing microforms by the Department of Archives and History; to repeal section 41-6-12, Code of Alabama 1975, as amended, which requires the printing of 250 additional copies of state publications for use by the Department of Archives and History.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. It is the intent of the legislature in enacting this law that:

- a. All state publications be made available to the public; and
- b. In order to obtain maximum efficient distribution and maximum availability of these publications, a depository system be hereby established; and
- c. To advise the Director of the Alabama Public Library Service and the head of the Alabama Publications Clearinghouse on matters concerning the administration of the state publications depository program, an advisory council for State Publications Depository Program be hereby established; and
- d. The preservation of all state publications having historical value be provided for by their maintenance at the Alabama Department of Archives and History.

Section 2. As used in this act the following words shall have the following meanings ascribed to them unless the context clearly indicates otherwise;

a. "State Agency" means any permanent or temporary state office, department, division or unit, bureau, board, commission, task force, authority, institution, state college or university, and other unit of state government, whether executive, legislative or judicial, and includes any subunits of state government.

b. "State Publication" means informational matter, for public distribution regardless of format, method of reproduction, source, or copyright, originating in or produced with the imprint of, by the authority of, or at the total or partial expense of, any state agency including material produced at least in part with federal funds. "State publication" does not include correspondence, interoffice memoranda, routine forms or other internal records and certain ephemeral materials such as news releases.

c. "Depository" means an institution which contracts with the Alabama Public Library Service to participate in the state publications depository system.

d. "State printing" means any printing by the State Print Shop, printing provided by commercial printers under contract with a state agency, or printing produced by a state agency.

Section 3. There is hereby created as a division of the Alabama Public Library Service, an Alabama Publications Clearinghouse. The Clearinghouse shall be headed by a librarian with a master's degree from a library school accredited by the American Library Association. The Clearinghouse shall establish and operate a state publications depository program for Alabama publications. To this end, the Alabama Public Library Service shall make such reasonable rules and regulations as shall be necessary to carry out the provisions of this act and to implement the same.

Section 4. The purpose of the Advisory Council for the State Publications Depository Program is to advise the Director of the Alabama Public Library Service and the head of the Alabama Publications Clearinghouse on matters concerning the administration of the state publications depository program.

The membership of the Advisory Council shall consist of not more than fifteen members, including: the ex officio members, appointed by the Executive Board of the Alabama Public Library Service from recommendations from the Alabama Commission on Higher Education's Council of Librarians; Alabama Library Association Government Documents Round Table; and state agencies. At least eight members shall represent the state agencies, and at least five shall represent the depositories. The Director of the Alabama Public Library Service, the Director of the Alabama Department of Archives and History, the State Law Librarian, the Head of the Alabama Publications Clearinghouse, and the moderator of the Alabama Library Association Government Documents Round Table shall be ex officio members. The terms of the Advisory Council, other than the ex officio members, shall be for three years.

Section 5. a. The State Printer or the responsible state agency, if the State Printer was not used, shall forward to the Alabama Publications Clearinghouse upon completion at least nine (9) copies of every state publication. The Alabama Publications Clearinghouse shall distribute these copies

as follows: three to the Alabama Department of Archives and History—one (1) for reproducing in microform and two (2) for permanent retention in its historical collection; two (2) to the Library of Congress; one (1) to the Center for Research Libraries; three (3) to the Alabama Public Library Service—one (1) for its reference use and two (2) for its circulation.

b. The Alabama Department of Archives and History shall produce in microform for depository distribution every state publication except those publications not suitable for reproduction in microform. If the Alabama Department of Archives and History determines that a publication cannot be reproduced in microform, the State Printer or the issuing agency shall provide additional copies equal to the number of state publications depositories.

c. The Alabama Department of Archives and History will also evaluate state publications to determine their historical value and requirements for preservation. The Alabama Publications Clearinghouse shall distribute one (1) copy of every state publication, whether in microform or hard copy, to each state depository.

d. All state publications in microform may be purchased at reasonable cost for production and distribution from the Alabama Department of Archives and History.

Section 6. a. Every state agency shall designate one (1) of its staff members or employees as the publications officer for the agency and notify the Alabama Publications Clearinghouse of the identity of such publications officer and of the identity of any new publications officer should a change occur.

b. Each publications officer of each state agency shall have the duty to provide the Alabama Publications Clearinghouse with nine (9) or more copies of every state document not printed by the State Printer, to compile and forward to the Alabama Publications Clearinghouse required lists of the state publications of the agency, and to provide other related information as may be requested by the Alabama Publications Clearinghouse.

Section 7. a. All United States government depository libraries, existing now or hereafter, in the state of Alabama are eligible to be a state publications depository. Libraries may contract with the Alabama Public Library Service to become depositories.

b. Each depository shall agree to make state publications accessible to the public, to render free service in their use, and to abide by the rules and regulations promulgated by the Alabama Public Library Service. Extended noncompliance with the contract provisions shall result in the loss of depository status.

Section 8. To facilitate the distribution of state publications, the Alabama Publications Clearinghouse shall issue quarterly a complete list of state publications issued during the immediately preceding quarter, such list to be cumulated and printed at the end of each calendar year.

Section 9. a. Funding for the State Publications Depository Program shall be from appropriations provided the Alabama Public Library Service as a part of its budget in a program entitled State Publications Depository Program.

b. The Alabama Public Library Service will reimburse the Alabama Department of Archives and History for its reasonable costs in producing

microforms distributed as a part of the State Publications Depository Program.

Section 10. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. Section 41-6-12, Code of Alabama 1975, as amended is hereby specifically repealed and all laws or parts of laws which conflict with the provisions of this act are repealed to the extent they relate to state documents and state publications.

Section 12. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	Cabaniss	Drinkard	Little	
Amari	Corbett	Foshee	Menton	
Bailey	Covington	Hand	Smith (B)	
Bedsole	deGraffenried	Hilliard	Teague	
Bennett	Dixon	Holmes		—18

Nays:

—0

And said Bill, S. B. 338, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 18, Nays 0;

Yeas:

Senators:	Cabaniss	Drinkard	Little	
Aldridge	Corbett	Foshee	Menton	
Amari	Covington	Hand	Smith (J)	
Bedsole	deGraffenried	Hilliard	Teague	
Bennett	Dixon	Holmes		—18

Nays:

—0

THE BILL:

S. 260. To further amend Section 1-3-8, Code of Alabama 1975, relating to state holidays, so as to alter certain observances.

was taken up.

Senator Bedsole offered the following amendment to the Bill, S. B., 260, to-wit:

#### AMENDMENT TO S. B. 260

On page 1, on line 31, after the language "be deemed a holiday." insert the following:

Provided, however, the Legislature may by joint resolution or law substitute any of the aforementioned holidays in any county for any holiday

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that has been historically or traditionally celebrated by the residents of said county.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Senators:	Cabaniss	Drinkard	Holmes	
Aldridge	Corbett	Figures	Little	
Amari	Covington	Foshee	Menton	
Bailey	deGraffenried	Hand	Smith (J)	
Bedsole	Dial	Hilliard	Teague	
Bishop	Dixon			—21

Nays: —0

And said Bill, S. B. 260, as thus amended, was read a third time at length and lost.

Yeas 2; Nays 18.

Yeas:

Senators:	Covington	Holmes	—2
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Nays:

Senators	Bishop	Dixon	Hilliard	
Aldridge	Cabaniss	Drinkard	Little	
Amari	Corbett	Figures	Menton	
Bedsole	deGraffenried	Foshee	Teague	
Bennett	Dial	Hand		—18

**BUDGET ISOLATION RESOLUTION**

Senator Hilliard, B. I. R., S. B. 263, adopted.

Yeas 20; Nays 0.

Yeas:

Senators:	Corbett	Drinkard	Holmes	
Aldridge	Covington	Figures	Little	
Amari	deGraffenried	Foshee	Menton	
Bailey	Dial	Hand	Smith (J)	
Bedsole	Dixon	Hilliard	Teague	
Bennett				—20

Nays: —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 263. Authorizing the regulation by municipalities or other local governing authorities of private for-hire vehicles, however propelled, providing passenger transportation services and providing that municipalities or other local governing authorities and any officers or members of such shall not be subject to liability under the federal antitrust laws.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Bishop	Dixon	Hilliard
Aldridge	Cabaniss	Drinkard	Holmes
Amari	Corbett	Figures	Little
Bailey	Covington	Foshee	Menton
Bedsole	deGraffenried	Hand	Teague
Bennett	Dial		

—21

*Nays:*

—0

### BILL RECONSIDERED

On motion of Senator Hilliard, the Senate reconsidered the vote by which the Bill, S. B. 260, as amended, was lost.

On motion of Senator Hilliard, the Senate reconsidered the vote by which the Bill, S. B. 260 as amended, was ordered to its third reading.

And said Bill, S. B. 260, as amended, was again read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Drinkard	Holmes
Aldridge	Corbett	Figures	Horn
Bailey	Covington	Foshee	Little
Bedsole	Dial	Hand	Menton
Bennett	Dixon	Hilliard	

—18

*Nays:*

—0

### BILLS ON THIRD READING RESUMED

#### THE BILL:

S. 376. To exempt certain printed materials from the provisions of the crime offense of gambling.

was taken up.

On motion of Senator Hand, further consideration of the Bill, S. B. 376, was postponed subject to the call of the Chair.

### REPORT OF COMMITTEE ON RULES

Mr. President:

Your standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 18. To amend Act No. 39, H. 67, Second Special Session, 1971 (Acts 1971, p. 4173) to permit the application of chemical substances by aircraft in Shelby County under certain conditions.



Also:

S. 154. To create the Alabama Turkey Hunters Hall of Fame Board and Museum; to prescribe its purposes, membership and location; to provide for the appointment of its members and for the holding of meetings.

Also:

S. 228. Relating to Jackson County; to authorize the probate judge to set the fee for supplying a copy of an instrument; to place the proceeds from the fees in a special fund and provide for its use.

CHARLES BISHOP,  
Chairperson.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

### BILLS ON THIRD READING RESUMED

#### THE BILL:

S. 460. Authorizing the appointment of peace officers by the ACJIC director and chairman of the ACJIC Commission to enforce laws pertaining to the operation and administration of the Alabama criminal justice information system.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Corbett	Ellis	Horn
Aldridge	Covington	Figures	Little
Amari	deGraffenried	Foshee	Menton
Bennett	Dixon	Hilliard	Parsons
Cabaniss	Drinkard	Holmes	

—18

Nays:

—0

#### THE BILL:

S. 266. To amend further sections 40-23-4 and 40-23-62 of the Code of Alabama 1975, which provide for certain exemptions from sales and use taxes, so as to include certain materials, supplies and equipment used in offshore federal waters; and to provide for an effective date.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Little	
Aldridge	Covington	Hand	Menton	
Amari	Dixon	Hilliard	Parsons	
Bedsole	Ellis	Holmes	Strong	
Bennett	Figures	Horn	Teague	
Cabaniss				—20

*Nays:* —0**THE BILL:**

H. 207. Relating to the abandonment of the commission form of government by Class 6 municipalities; providing for a referendum on the question of adoption of a mayor-council form of government with five (5) single-member districts and a mayor to be elected at large, or in the alternative a council-manager form of government with five (5) single-member districts; establishing in the alternative said forms of government; providing for the establishment of boundaries of districts, salaries of mayor and council, and the call of election for the members of the council and for a mayor if a mayor-council form of government was adopted; providing for the term of office of the initial council, and for mayor if the mayor council form of government was adopted; providing the election laws to be applied; providing for reapportionment of council districts; providing for the preservation of other officers, their powers, duties, rights, privileges and emoluments, for the preservation of all property owned by the municipality, all contracts in force, legal proceedings, and pension funds; and providing for the continuation of all subordinate agencies of the municipalities and all ordinances; and providing for an effective date of this act, and the severability of the provisions of this act.

was read a third time at length and passed.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Cabaniss	Figures	Little	
Aldridge	Corbett	Foshee	Menton	
Amari	Covington	Hand	Parsons	
Barron	Dixon	Hilliard	Strong	
Bedsole	Drinkard	Holmes	Teague	
Bennett	Ellis	Horn		—22

*Nays:* —0**THE BILL:**

S. 104. To amend Sections 16-36-7 and 16-36-27 of the Code of Alabama, 1975, so as to allow State adoption and purchase of educational materials for children enrolled in the public kindergartens of the State.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

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Yeas 20; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Little
Aldridge	deGraffenried	Hand	Menton
Amari	Dixon	Hilliard	Parsons
Bennett	Drinkard	Holmes	Smith (J)
Cabaniss	Ellis	Horn	Strong
Corbett			—20

*Nays:* —0

**THE BILL:**

S. 409. To amend Section 31-5-3, Code of Alabama 1975, which provides for the state board of veterans' affairs, so as to include the American Ex-Prisoners of War, Incorporated, on such board.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18, Nays 0.

*Yeas:*

Senators:	Covington	Hand	Menton
Aldridge	Dixon	Hilliard	Parsons
Amari	Drinkard	Holmes	Smith (J)
Barron	Ellis	Horn	Strong
Cabaniss	Foshee	Little	—18

*Nays:* —0

**THE BILL:**

S. 291. To amend Section 22-20-3 of the Code of Alabama 1975, so as to further provide that all susceptible infants be tested for sickle cell anemia or sickle cell trait.

was taken up.

Senator Bedsole offered the following substitute for the Bill, S. B. 291, to-wit:

**SUBSTITUTE FOR S. B. 291**

**A BILL  
TO BE ENTITLED  
AN ACT**

To amend Section 22-20-3 of the Code of Alabama 1975, so as to further provide that all susceptible infants be tested for sickle cell anemia, sickle cell trait or abnormal hemoglobin.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. Section 22-20-3 of the Code of Alabama 1975 is hereby amended to read as follows:

“§22-20-3.

“(a) It shall be the duty of the administrative officer or other persons in charge of each institution caring for infants 28 days or less of age, or

the physician attending a newborn child or the person attending a newborn child that was not attended by a physician to cause to have administered to every such infant or child in his care a reliable test for hypothyroidism and a reliable test for phenylketonuria (PKU), such as the Guthrie test, or any other test considered equally reliable by the state board of health and a reliable test for sickle cell anemia, sickle cell trait and/or abnormal hemoglobin. Testing and the recording of the results of such tests shall be performed by the public health laboratory at such times and in such manner as may be prescribed by the state board of health; provided, that no such test shall be given to any child whose parents object thereto on the grounds that such tests conflict with their religious tenets and practices.

“(b) The state board of health shall promulgate such rules and regulations as it considers necessary to provide for the care and treatment of those newborn infants whose tests are determined positive, including, but not limited to, advising dietary treatment for such infants. The state board of health shall promulgate any other rules and regulations necessary to effectuate the provisions of this section.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Menton	
Aldridge	Covington	Hand	Parsons	
Amari	deGraffenried	Holmes	Smith (B)	
Barron	Dixon	Horn	Strong	
Bedsole	Drinkard	Little		—18

Nays: —0

And said Bill, S. B. 291, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 19; Nays 0.

Yeas:

Senators:	Cabaniss	Figures	Little	
Aldridge	Covington	Foshee	Menton	
Amari	deGraffenried	Hand	Parsons	
Barron	Dixon	Holmes	Smith (B)	
Bedsole	Drinkard	Horn	Strong	—19

Nays: —0

THE BILL:

S. 2. To provide further for the number of students in each academic classroom in the public schools in Alabama.

was taken up.

The standing Committee on education reported the following substitute for the Bill, S. B. 2, to-wit:

**SUBSTITUTE FOR S. B. 2**

**A BILL  
TO BE ENTITLED  
AN ACT**

To provide further for the number of students in each academic classroom in the public schools in Alabama.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. Notwithstanding any provision of law to the contrary and specifically notwithstanding Section 16-13-52, Code of Alabama 1975, to the contrary, as provided for in this act, a local school board may not enroll more than 20 students in any kindergarten through grade twelve academic classroom. Beginning with the 1987-88 school year one teacher unit shall be allowed for each 20 pupils in average daily attendance in the first and second grades; during the 1988-89 school year one teacher unit shall be allowed for each 20 pupils in average daily attendance in the first four grades; during the 1989-90 school year one teacher unit shall be allowed for each 20 pupils in average daily attendance in the first six grades; during the 1990-91 school year one teacher unit shall be allowed for each 20 pupils in average daily attendance in the first eight grades; during the 1991-92 school year one teacher unit shall be allowed for each 20 pupils in average daily attendance in the first ten grades; and during the 1992-93 school year one teacher unit shall be allowed for each 20 pupils in average daily attendance in all twelve grades. These requirements shall not apply during the last 12 weeks of any school year.

In determining the number of students to enroll in any class, a local school board shall consider the subject to be taught, the teaching methodology to be used, and any need for individual instruction. Provided, however, no academic classroom teacher shall have more than twenty students in any kindergarten through grade twelve academic classroom.

On application of a local school board, the state superintendent of education may except the local school board from the limits of this act if the state superintendent of education finds the limits work an undue hardship on the local school board. An exception expires at the end of the semester for which it is granted, and the state superintendent of education may not grant an exception for more than one semester at a time.

The state superintendent of education shall report to the legislature annually regarding compliance with this act. The report must include:

(1) A statement of the number of school boards granted an exception under this act; and

(2) An estimate of the total cost incurred by school boards in that year in complying with this section.

The provisions of this act shall be funded by the Special Educational Trust Fund. The basis of funding is on an annual report of need as determined by local superintendents and boards of education. This report is to be submitted to the state superintendent and board of education on or before December 1, 1986, and each year thereafter.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Cabaniss	Ellis	Menton	
Aldridge	Covington	Foshee	Parsons	
Amari	deGraffenried	Hand	Smith (B)	
Barron	Dixon	Holmes	Smith (J)	
Bedsole	Drinkard	Little	Strong	—19

*Nays:* —0

And said Bill, S. B. 2, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Ellis	Menton	
Aldridge	Covington	Foshee	Parsons	
Amari	deGraffenried	Hand	Smith (B)	
Bailey	Dixon	Holmes	Strong	
Bedsole	Drinkard	Little		—18

*Nays:* —0

## RESOLUTIONS

Senator Amari offered the following Senate Resolutions, to-wit:

S. R. 240. COMMENDING METTA FAY STREET OF BIRMINGHAM, ALABAMA, "BEST CITIZEN OF THE EASTERN AREA."

Also:

S. R. 241. COMMENDING BOB GOLDBERG VICE PRESIDENT OF THE SOUTHEAST FOR THE BUREAU OF WHOLESALE SALES REPRESENTATIVES.

Which were filed.

## BILLS ON THIRD READING RESUMED

THE BILL:

S. 131. To amend Sections 16-36-2 and 13A-14-2, Code of Alabama, 1975, so as to provide for increased classroom teacher representation on the State Textbook Committee and to require open meetings.

was taken up.

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On motion of Senator Drinkard, further consideration of the Bill, S. B. 131, was postponed subject to the call of the Chair.

THE BILL:

S. 251. To repeal §2-31-2, which exempts persons who buy grain for cash at the time of purchase; and persons licensed as public warehouses; to amend §2-31-4, which provides bonding requirements for grain dealers so as to remove the waiver of bond for those persons licensed under the United States Department of Agriculture Warehouse Act; and to waive bonding requirements for grain dealers who pay cash for grain at the time of purchase.

was taken up.

Senator Bailey offered the following amendment to the Bill, S. B. 251, to-wit:

AMENDMENT TO S. B. 251

I move to amend Senate Bill No. 251, Page 2, Line 34, wherever the word "check" appears insert "certified check".

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	Cabaniss	Figures	Menton	
Aldridge	Covington	Foshee	Parsons	
Amari	Dixon	Hand	Smith (B)	
Bailey	Drinkard	Holmes	Strong	
Bedsole	Ellis	Little		—18

Nays: —0

And said Bill, S. B. 251, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 18, Nays 0.

Yeas:

Senators:	Bedsole	Dixon	Little	
Aldridge	Cabaniss	Drinkard	Menton	
Amari	Covington	Ellis	Smith (J)	
Bailey	deGraffenried	Foshee	Strong	
Barron	Denton	Holmes		—18

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Langford, B. I. R., S. B. 282, adopted.

Yeas 17; Nays 1.

Yeas:

Senators:	Cabaniss	Drinkard	Holmes	
Aldridge	Covington	Ellis	Little	
Amari	deGraffenried	Foshee	Menton	
Bailey	Denton	Hilliard	Smith (J)	
Bedsole	Dixon			—17

Nay: Senator Strong —1

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 282. To provide that full-time employees and executive officers of the Alabama State Employees' Association and the Alabama Retired State Employees' Association may elect to become members of the Teachers' Retirement System of Alabama; also to provide that said associations and their employees shall assume all costs, both contributory and administrative, and no cost shall devolve upon the state.

was taken up.

On motion of Senator Strong, further consideration of the Bill, S. B. 282, was postponed subject to the call of the Chair.

**FURTHER CONSIDERATION OF S. B. 131**

The Senate proceeded to further consideration of the Bill, S. B. 131.

And said Bill, S. B. 131, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 17; Nays 1.

*Yeas:*

Senators:	Cabaniss	Hand	Menton
Aldridge	Corbett	Holmes	Smith (J)
Amari	Covington	Horn	Strong
Bailey	Drinkard	Little	Teague
Bennett	Ellis		

—17

*Nay:* Senator Dixon

—1

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 413. Proposing an amendment to the Constitution of 1901, authorizing and enabling the governing body of the City of Jackson, Clarke County, Alabama, to declare the need for the formation of a public corporation to carry out the provisions of the act and to function as a port authority, and to cause same to be organized; providing for its powers and duties; repealing conflicting provisions of this Constitution, 1901.

was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Little
Aldridge	Cooley	Hand	Menton
Bailey	Denton	Hilliard	Mitchem
Barron	Dial	Holmes	Parsons
Bedsole	Dixon	Horn	Strong
Bennett	Drinkard	Langford	Teague
Bishop	Ellis		

—25

*Nays:*

—0



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THE BILL:

H. 161. Proposing an amendment to the Constitution of 1901, creating the Washington County Port Authority; providing for its powers and duties; repealing conflicting provisions of this Constitution, 1901.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 161, to-wit:

AMENDMENT TO H. B. 161

Amend H. B. 161, Page 1, Line 27, by deleting the following words: ~~Tennessee Tombigbee Waterway~~ and inserting in lieu thereof the following: Tombigbee River

Amend further on Page 2, Line 11, by deleting the following words: ~~competitive bid and~~

Further, on Page 8, Line 24, after the words "of the" by deleting the following: ~~Tennessee Tombigbee Waterway~~ and inserting in lieu thereof the words: Tombigbee River

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Aldridge	Denton	Hand	Mitchem
Barron	Dial	Holmes	Parsons
Bedsole	Dixon	Horn	Smith (J)
Bennett	Drinkard	Langford	Strong
Bishop	Ellis	Little	Teague
Cabaniss	Figures		

—25

Nays: —0

And said Bill, H. B. 161, as thus amended, was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Aldridge	Denton	Hand	Mitchem
Barron	Dial	Holmes	Parsons
Bedsole	Dixon	Horn	Smith (J)
Bennett	Drinkard	Langford	Strong
Bishop	Ellis	Little	Teague
Cabaniss	Figures		

—25

Nays: —0

THE BILL:

H. 264. Relating to Washington County; amending Act No. 39, H. 185, 1965 Regular Session, (Acts 1965, p. 57), which provides for the compensation

of the members of the board of registrars, so as to provide further for said compensation.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Figures	Little	
Aldridge	Cooley	Foshee	Menton	
Amari	Denton	Hand	Smith (B)	
Barron	Dial	Holmes	Smith (J)	
Bedsole	Dixon	Horn	Strong	
Bennett	Drinkard	Langford	Teague	
Bishop	Ellis			—25

Nays:

—0

#### THE BILL:

H. 158. To authorize and empower the governing body of Washington County, Alabama, to levy and collect special county privilege and license taxes and excise taxes paralleling the state sales and use taxes provided for in Chapter 23 of Title 40 of the Code of Alabama 1975; to specify the rates at which such taxes may be levied; to provide for the ascertainment, collection, payment, distribution and use of the proceeds from such taxes as may be levied by the said governing body; to provide for the enforcement of this act by the state department of revenue and to provide for an advisory referendum election to determine whether the qualified electors of said county approve or disapprove of the provisions of this act.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 158, to-wit:

#### AMENDMENT TO H. B. 158

Amend House Bill 158, on page 3, line 26, after the word "business." by inserting the following new paragraph:

"The governing body of Washington County is also authorized and empowered to levy and impose a county tax upon every person, firm or corporation engaged or continuing within Washington County in the business of selling through coin-operated dispensing machines, food and food products for human consumption, not including beverages other than coffee, milk, milk products and substitutes; therefore, there is hereby levied a tax equal to one percent of the cost of such food, food products and beverages sold through such machines, which cost for the purpose of this section shall be the gross proceeds of sales of such business."

Which was adopted.

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Yeas 25; Nays 0.

*Yeas:*

Sensors:	Cabaniss	Figures	Little	
Aldridge	Cooley	Foshee	Menton	
Amari	Denton	Hand	Smith (B)	
Barron	Dial	Holmes	Smith (J)	
Bedsole	Dixon	Horn	Strong	
Bennett	Drinkard	Langford	Teague	
Bishop	Ellis			—25

*Nays:* —0

And said Bill, H. B. 158, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Sensors:	Cabaniss	Figures	Little	
Aldridge	Cooley	Foshee	Menton	
Amari	Denton	Hand	Smith (B)	
Barron	Dial	Holmes	Smith (J)	
Bedsole	Dixon	Horn	Strong	
Bennett	Drinkard	Langford	Teague	
Bishop	Ellis			—25

*Nays:* —0

**BILL RECONSIDERED**

On motion of Senator deGraffenried, the Senate reconsidered the vote by which the Bill, S. B. 373, as amended, was passed.

On motion of Senator deGraffenried, the Senate reconsidered the vote by which the Bill, S. B. 373, as amended, was ordered to its third reading.

Senator deGraffenried then offered the following amendment to the Bill, S. B. 373, as amended, to-wit:

**AMENDMENT TO S. B. 373, AS AMENDED**

Amend S. B. 373, on page 9, line 36, by deleting the words "at any one time outstanding."

Which was adopted.

Yeas 19; Nays 0.

*Yeas:*

Sensors:	Corbett	Ellis	Menton	
Amari	Covington	Foshee	Parsons	
Bedsole	deGraffenried	Hand	Smith (J)	
Bennett	Dixon	Holmes	Strong	
Cabaniss	Drinkard	Little	Teague	—19

*Nays:* —0

And said Bill, S. B. 373, as amended, was again read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 18; Nays 1.

Yeas:

Senators:	Corbett	Foshee	Menton	
Amari	Covington	Hand	Smith (J)	
Bedsole	deGraffenried	Holmes	Strong	
Bennett	Drinkard	Horn	Teague	
Cabaniss	Ellis	Little		—18

Nay: Senator Dixon —1

### RESOLUTION

Senator Smith (J) offered the following Senate Resolution, to-wit:

S. R. 242. DIRECTING THE DEPARTMENT OF CORRECTIONS TO REMOVE CERTAIN INMATES FROM THE LIMESTONE CORRECTIONAL FACILITY.

Which was read and referred to the Standing Committee on Rules.

### BILL RECONSIDERED

On motion of Senator Bennett, the Senate reconsidered the vote by which the Bill, S. B. 104, was passed.

On motion of Senator Bennett, the Senate reconsidered the vote by which the Bill, S. B. 104, was ordered to its third reading.

Senator Bennett then offered the following substitute for the Bill, S. B. 104, to-wit:

### SUBSTITUTE FOR S. B. 104

#### A BILL TO BE ENTITLED AN ACT

To amend Sections 16-36-7, 16-36-26 and 16-26-27 of the Code of Alabama, 1975, so as to allow State adoption and purchase of educational materials for children enrolled in the public kindergartens of the State.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 16-36-7 of the Code of Alabama, 1975, is amended as follows:

"Section 16-36-7. The State Board of Education shall divide the subjects of study in the public schools so that all textbooks on a given subject for grades ~~one~~ kindergarten through 12 shall be considered for adoption in one year. The State Board of Education shall prescribe a system of rotation so that the textbooks for each subject shall come up for reconsideration by the State Textbook Committee every six years. All textbooks in adoption on April 20, 1965, shall be used in the public schools during the scholastic year 1965-66, unless otherwise determined by the State Board of Education, and thereafter as approved by the State Board of Education. New adoptions made during any year shall not be used in the public schools until the next

ensuing scholastic year. In the initial implementation of the provisions of this section, the State Board of Education shall have the privilege of extending existing adoptions for such period of years as it deems appropriate notwithstanding any other provisions of this chapter."

Section 2. Section 16-36-26, Code of Alabama, 1975, is amended to read as follows:

§ 16-36-26.

Any funds appropriated for the purpose of furnishing state-owned textbooks in the tax-supported schools of the state shall be expended in the following manner: In any county of the state where the pro rata share of the county's part of the sum or amount appropriated for the purpose of furnishing state-owned textbooks is not sufficient to provide free textbooks for all of the grades in the public schools, then the authority charged with the duty of purchasing such books shall purchase enough books with the available funds to supply the kindergarten first grades with books; and, if any funds remain after books for the kindergarten first grades have been purchased, then the same authority shall purchase enough books for the first second grades of the public schools, and in like manner shall purchase books for the second, third, fourth, fifth and sixth grades and so forth in the order of grades insofar as the funds allotted to the county will permit. All such purchases of required textbooks and other state-adopted textbooks and other instructional materials shall be done in the manner now provided by law for the purchase of all state-owned and state-adopted textbooks and other instructional materials. Any funds in the state treasury which have accrued or which shall accrue to the credit of the textbook purchasing board shall be administered as now provided by law.

The state board of education is hereby empowered to prescribe regulations for the proper care of and accounting for state-owned textbooks.

Section 3. Section 16-36-27 of the Code of Alabama, 1975, is amended to read as follows:

"Section 16-36-27. The State Board of Education shall provide as many textbooks as the appropriation available will provide for the use of all pupils enrolled in the public schools of the State so that no pupil shall be without a textbook except in courses of study which do not require one book for each pupil and except in courses of study not prescribed by the State Courses of Study Committee. Any provision herein to the contrary notwithstanding, all appropriations, rebates from any textbook depository under prior contract or funds otherwise available for the purchase of textbooks by the State shall be expended first to supply sufficient educational materials for each pupil in kindergarten and to supply sufficient textbooks for each pupil in the first grade to have a copy of each textbook prescribed for use in the first grade, second to supply sufficient textbooks for each pupil in the second grade to have a copy of each textbook prescribed for use in the second grade, and so forth in the order of grades until the funds available for State furnished textbooks shall have been exhausted; provided, however, that in courses such as reading, where several textbooks are used one after another, it shall be considered a sufficient compliance with the requirements of this section if each school system shall have sufficient textbooks for each such course for each pupil in each grade to have one of the books currently being used by the group of class to which such pupil is assigned. The Superintendent of Education of each County School System and the Superintendent of City Schools of each City School System shall, on or before the first day of

February in each year, certify to the State Superintendent of Education either that the school system of which he is superintendent has sufficient books to comply fully with the preceding provision or the number of books of each title and each grade which are required for such school system shall, on the basis of reports from local superintendent hereinabove required, certify to the State Board of Education the exact deficiency in available textbooks for pupils enrolled in public schools in the State; and such deficiency shall be remedied by providing additional textbooks, before the expenditure of any state funds for other textbooks. No book shall be purchased with State funds for a local Board of Education for use of pupils in any grade unless textbooks in each subject shall have been provided for every pupil enrolled in the next lower grade in such school system."

Section 4. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective October 1, 1987.

Which was adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Ellis	Little	
Aldridge	Covington	Foshee	Smith (J)	
Amari	deGraffenried	Hand	Strong	
Bennett	Dixon	Holmes	Teague	
Cabaniss	Drinkard	Horn		—18

*Nays:* —0

And said Bill, S. B. 104, as thus amended by the substitute, was again read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Ellis	Little	
Aldridge	Covington	Foshee	Smith (J)	
Bailey	deGraffenried	Hand	Strong	
Bennett	Denton	Holmes	Teague	
Cabaniss	Drinkard	Horn		—18

*Nays:* —0

## BILLS ON THIRD READING RESUMED

### THE BILL:

S. 546. To amend Act No. 61, Acts of the Legislature, 1971, which created and established the Etowah County Solid Waste and Park and Recreation Authority.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

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Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Little
Amari	Denton	Hand	Menton
Bailey	Dial	Hilliard	Smith (B)
Barron	Dixon	Holmes	Smith (J)
Bedsole	Drinkard	Horn	Strong
Bennett	Ellis	Langford	Teague
Bishop	Figures		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

On motion of Senator Drinkard, the Rules were suspended and the B. I. R., H. B. 227, was adopted by the Senate.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Drinkard	Horn
Aldridge	Corbett	Ellis	Little
Amari	Covington	Foshee	Smith (J)
Bedsole	deGraffenried	Hand	Teague
Bennett	Dixon	Holmes	

—18

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 227. To name and designate the college resulting from the merger of Gadsden State Junior College, Gadsden State Technical Institute and Alabama Technical College as Gadsden State Community College.

was read a third time at length and passed.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Drinkard	Horn
Amari	Corbett	Ellis	Little
Bailey	Covington	Foshee	Smith (J)
Bedsole	deGraffenried	Hand	Teague
Bennett	Dixon	Holmes	

—18

*Nays:* —0

**THE BILL:**

S. 448. To propose an amendment to the Constitution of Alabama of 1901, as amended, relating to Covington County, so as to permit the county commission to levy and collect a special property tax, in addition to all other taxes now or hereafter authorized by the Constitution and laws of Alabama.

was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Mitchem	
Amari	Denton	Hand	Parsons	
Bailey	Dial	Holmes	Smith (B)	
Barron	Dixon	Horn	Smith (J)	
Bedsole	Drinkard	Little	Strong	
Bennett	Ellis	Menton	Teague	
Bishop	Figures			—25

*Nays:* —0**THE BILL:**

H. 278. Relating to Calhoun County; providing for an increase in salary for the part-time bailiffs of said county.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Mitchem	
Amari	Dial	Holmes	Parsons	
Bailey	Dixon	Horn	Smith (B)	
Bennett	Drinkard	Langford	Smith (J)	
Bishop	Ellis	Little	Strong	
Cabaniss	Figures	Menton	Teague	
Cooley	Foshee			—25

*Nays:* —0**THE BILL:**

H. 357. Relating to Calhoun County; amending Section 9 of Act No. 154, H. 746, of the 1965 Regular Session, as amended by Act No. 631, H. 410, of the 1983 Regular Session, which created the office of commissioner of licenses in certain counties classified on a population basis, so as to provide further for fees collected for issuing motor vehicle license tags by mail.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Mitchem	
Amari	Dial	Holmes	Parsons	
Bailey	Dixon	Horn	Smith (B)	
Bennett	Drinkard	Langford	Smith (J)	
Bishop	Ellis	Little	Strong	
Cabaniss	Figures	Menton	Teague	
Cooley	Foshee			—25

*Nays:* —0**THE BILL:**

S. 556. Relating to Limestone County; to provide that any municipality whose corporate limits or boundaries include lands lying outside of Limestone



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County, must, in addition to all other requirements of law, obtain the consent of the Limestone County Commission before annexation of lands lying in Limestone County.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 1.

*Yeas:*

Senators:	Cabaniss	Hand	Mitchem
Amari	Cooley	Hilliard	Parsons
Bailey	Denton	Holmes	Smith (B)
Barron	Dial	Horn	Smith (J)
Bedsole	Dixon	Little	Strong
Bennett	Ellis	Menton	Teague
Bishop	Foshee		

—25

*Nay:* Senator Aldridge —1

**BUDGET ISOLATION RESOLUTION**

On motion of Senator Hand, the Rules were suspended and the B. I. R., S. B. 388, was adopted by the Senate.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Ellis	Parsons
Aldridge	Covington	Figures	Smith (J)
Bailey	deGraffenried	Holmes	Strong
Bedsole	Dixon	Horn	Teague
Bennett	Drinkard	Little	

—18

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 388. Proposing an amendment to the Constitution of Alabama 1901, providing that any local, general or special bill which impacts on the revenues of a particular county shall be voted on throughout the legislative process only by those members of the legislature who represent either all or a portion of the affected county.

was taken up.

On motion of Senator Hand, further consideration of the Bill, S. B. 388, was postponed subject to the call of the Chair.

**RESOLUTIONS**

Senators Horn and Hilliard offered the following Senate Resolutions, to-wit:

S. R. 243. COMMENDING GOULD BEECH OF MAGNOLIA SPRINGS, ALABAMA.

Also:

S. R. 244. COMMENDING VIRGINIA FOSTER DURR AND THE LATE CLIFFORD J. DURR OF ALABAMA.

Which were filed.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 132. To further regulate and control alcoholic beverage transactions in wet counties and municipalities in Alabama under the control and supervision of the alcoholic beverage control board; to provide uniform definitions applicable to Chapter 3, Title 28, Code of Alabama 1975, and to the Alcoholic Beverage Licensing Code, being Act No. 80-529, Acts of Alabama 1980, as amended, appearing as Chapter 3A, Title 28, Code of Alabama 1975, as amended, and to the Alabama Table Wine Act, being Act 80-382, Acts of Alabama 1980, as amended, appearing as Chapter 7, Title 28, Code of Alabama 1975, as amended; and to repeal all laws or parts of laws in conflict herewith.

JOHN W. PEMBERTON,  
Clerk.

### REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bills delivered to the Governor, with the date and hour of delivery, to-wit:

S. B. 18

S. B. 154

S. B. 228

Delivered to the Governor, March 20, 1986, at 2:10 P.M.

McDOWELL LEE,  
Secretary of Senate.

### SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

### ADJOURNMENT

At 3:50 P.M., on motion of Senator deGraffenried, and pending further consideration of H. B.'s 185 and 132, the Senate adjourned until Tuesday, March 25, 1986, at 10 o'clock A.M.

## **TWENTY-FIRST LEGISLATIVE DAY**

**TUESDAY, MARCH 25, 1986**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

### **PRAYER**

The Session was opened with prayer by Mr. Charles Moore, Deacon, Hall Memorial CME Church, Montgomery, Alabama.

### **PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Pamela Poole, Conecuh County High School, Castleberry, Alabama.

### **ROLL CALL**

Present:

Senators:	Cabaniss	Ellis	Little
Aldridge	Cooley	Figures	Menton
Amari	Corbett	Foshee	Mitchem
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hand	Sanders
Bedford	Denton	Hilliard	Smith (B)
Bedsole	Dial	Holmes	Smith (J)
Bennett	Dixon	Horn	Strong
Bishop	Drinkard	Langford	Teague

—35

### **JOURNAL**

On motion of Senator Denton, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

### **REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twentieth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

### **COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Twentieth Legislative Day was approved by the Senate.

**REPORT OF  
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills, respectively, and finds same correctly engrossed, to-wit:

S. 2. To provide further for the number of students in each academic classroom in the public schools in Alabama.

Also:

S. 151. To amend Section 36-30-2 of the Code of Alabama 1975, relating to compensation for death of peace officers, firemen and volunteer firemen, so as to provide further for compensation for certain disabled firemen and to provide for retroactive effect to November 1, 1983.

Also:

S. 251. To repeal §2-31-2, which exempts persons who buy grain for cash at the time of purchase; and persons licensed as public warehouses; to amend §2-31-4, which provides bonding requirements for grain dealers so as to remove the waiver of bond for those persons licensed under the United States Department of Agriculture Warehouse Act; and to waive bonding requirements for grain dealers who pay cash for grain at the time of purchase.

Also:

S. 260. To further amend Section 1-3-8, Code of Alabama 1975, relating to state holidays, so as to alter certain observances.

Also:

S. 338. To create a State Publications Depository Program for maximum availability and distribution of state publications to the public; to establish the Alabama Publications Clearinghouse, as a division of the Alabama Public Library Service, and to provide for its operations, duties and authority; to authorize the Alabama Public Library Service to make and implement reasonable rules and regulations; to establish the Advisory Council for the State Publications Depository Program and to provide for the membership, terms, duties, qualifications and powers; to define the duties and powers of the Alabama Department of Archives and History relative to the depository program for state publications and the distribution of microform products; to require each state agency to designate a publications officer from among its staff and to notify the said Clearinghouse of the designee, and to provide certain state publications and related information; to provide for the criteria and eligibility of depositories, including the United States government depository libraries; to provide that funding be from appropriations made to the use of the Alabama Public Library Service; to provide for the said service to make reimbursement of certain reasonable costs of producing microforms by the Department of Archives and History; to repeal section 41-6-12, Code of Alabama 1975, as amended, which requires the printing of 250 additional copies of state publications for use by the Department of Archives and History.

Also:

S. 291. To amend Section 22-20-3 of the Code of Alabama 1975, so as to further provide that all susceptible infants be tested for sickle cell anemia, sickle cell trait or abnormal hemoglobin.

Also:

S. 373. To authorize the Governor, the Director of Finance and the Chief Justice of the Supreme Court of the State of Alabama to become a public corporation to be known as Alabama Judicial Building Authority; to provide the procedure for incorporation; to designate the members, directors and officers of the Authority; to provide for meetings of the Authority; to prescribe the powers of the Authority, including the power to provide for the acquisition, construction, installation and equipping of judicial facilities which shall include one or more buildings and the site or sites therefor, the power of eminent domain, and the power to sell and issue a principal amount of bonds not to exceed \$40,000,000 for such purposes; to specify the application of the proceeds of the bonds of the Authority; to authorize the Authority to pledge such revenues from its leases as may be necessary to pay the principal of, premium, if any, and interest on its bonds; to empower the State Treasurer to disburse funds of the Authority; to provide for the lease of said judicial facilities to the Unified Judicial System for occupancy by its components including the Supreme Court, the Court of Civil Appeals, the Court of Criminal Appeals, the State Law Library and the Administrative Office of Courts; to provide for the investment of the proceeds from the sale of the bonds of the Authority; to authorize the issuance by the Authority of refunding bonds; to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge; to provide that all properties of the Authority and the income therefrom and all bonds issued and the income therefrom and all leases made and all lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues of the Authority and shall not create an obligation or debt of the State of Alabama; to provide that any bonds issued by the Authority may be used as security for State deposits and investment of public funds and fiduciary funds; to provide that no earnings of the Authority shall inure to private entities; and to provide for dissolution of the Authority and conveyance of its properties to the State of Alabama upon payment of said bonds.

Also:

S. 104. To amend Sections 16-36-7, 16-36-26 and 16-36-27 of the Code of Alabama, 1975, so as to allow State adoption and purchase of educational materials for children enrolled in the public kindergartens of the State.

CHARLES BISHOP,  
Chairperson.

### INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Aldridge (With Notice and Proof):

S. 615. Relating to the city of Hartselle in Morgan County, Alabama; authorizing the city governing body to increase the membership of the

Utilities Board of the city of Hartselle to expend certain sums of money and to increase utility rates and providing for a referendum election on the provisions of this act.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 615, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator deGraffenried:

S. 616. To amend Section 12-15-6, Code of Alabama 1975 so as to specifically provide that a juvenile court judge may direct the juvenile court referee to perform certain administrative duties and acts in the temporary absence of the juvenile court judge or at any time that the judge determines such action to be necessary to the efficient operation of the court and to provide an effective date.

Committee on Judiciary.

By Senators Foshee and Smith (J):

S. 617. To amend section 40-18-20, Code of Alabama 1975, so as to provide that the retirement income of military personnel shall be exempt from state, county, and municipal income taxes.

Committee on Finance and Taxation.

By Senator Foshee:

S. 618. To provide for health maintenance organizations (HMO's); to provide definitions; to provide for a procedure for the issuance, renewal, suspension, fees and application for certificate of authority for HMO's; to provide for a governing body for HMO enrollees and for its fiduciary duties; to provide for the licensing of agents of HMO's; to provide for the powers, duties and responsibilities of HMO's; to provide for the administration and regulation of HMO's by the insurance commissioner and state health officer and to grant rule making powers for implementation; to provide for the taxation of HMO's on the same basis as life and health insurers; and to provide for enforcement for the provisions of this act and to provide penalties for violation.

Committee on Health and Welfare.

By Senator Bedsole (With Notice and Proof):

S. 619. Relating to Mobile County, to exempt athletic events held by certain schools on municipal property from municipal sales and use taxes.

Committee on Local Legislation No. 3.

I hereby certify that the notice and proof is attached to the Bill, S. B. 619, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

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By Senator Bedsole (With Notice and Proof):

S. 620. Relating to Mobile County, Alabama, providing further for the observance of legal holidays.

Committee on Local Legislation No. 3.

I hereby certify that the notice and proof is attached to the Bill, S. B. 620, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Teague (With Notice and Proof):

S. 621. Relating to Talladega County; to exempt from all county or local ad valorem taxes all property owned and used by The Citizens Hospital Association in Talladega, Alabama.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 621, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator deGraffenried:

S. 622. To propose an amendment to the Constitution of Alabama relating to the levy and collection of special property taxes for public school purposes in the Special School Tax District in Tuscaloosa County, Alabama, which is under the jurisdiction and control of the Tuscaloosa City Board of Education.

Committee on Local Legislation No. 1.

The above Bill was read a first time at length as required by the Constitution.

By Senator deGraffenried (With Notice and Proof):

S. 623. To authorize the governing body of Tuscaloosa County, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Tuscaloosa County, on all taxable property situated within the special school tax district subject to the jurisdiction and control of the Tuscaloosa City Board of Education, the special ad valorem tax for public school purposes which is authorized in Section 2 of Amendment No. 3 to the Constitution, to a maximum rate, for any tax year of the county, which, when added to the rate at which there is being levied and collected in the said special school tax district for such tax year a special ad valorem tax for educational purposes pursuant to Amendment No. 164 to the Constitution, does not exceed \$1.55 on each one hundred dollars (15.5 mills on each dollar) of assessed value.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 623, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senators Corbett, Bedford, Strong, Amari, Menton, Sanders, Hilliard, Foshee, Holmes, Teague, Parsons, Covington, Bedsole, Langford, Bishop, Smith (B), Goodwin, Dial, Little, Figures, deGraffenried, Denton, and Bailey:

S. 624. Establishing on a permanent basis the Joint Interim Legislative Children and Youth Study Committee; providing for the membership of such committee; prescribing the functions of such committee; providing office space and clerical assistance for such committee; providing for a salaried coordinator for such committee and providing for the compensation and expenses of the members of such committee.

Committee on Student and  
Youth Activities.

By Senator Aldridge:

S. 625. To amend Section 17-4-153, Code of Alabama 1975, relating to expense allowances for registrars, so as to provide for an increase.

Committee on Buildings and Grounds.

By Senator Holmes:

S. 626. To provide for a period of voluntary silent meditation or voluntary silent prayer in public schools.

Committee on Education.

By Senator Sanders:

S. 627. To make appropriations for the creation of the "Alabama Hazardous Waste Cleanup Fund"; to provide that such fund shall be used for the cleanup and restoration of abandoned or inactive sites at which improper disposal of hazardous substances has occurred, resulting in the potential for deleterious impacts on ground water or the health and welfare of the citizens of the state, as well as on the state's natural, environmental, and biological systems; to plan and undertake the rehabilitation, removal, and cleanup of hazardous substances deposited improperly at sites located within this state; to provide that this fund shall be used for sites not qualified for, or unlikely to receive funding, under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Public Law 96-510, as amended; to provide that the fund shall be administered by the Alabama department of environmental management; to provide that the sites within this state shall be ranked according to their relative threat and the fund applied to those sites in the order of that ranking; to direct the Alabama department of environmental management to secure other funds whenever possible and thereby provide for future appropriations for the "Alabama Hazardous Waste Cleanup Fund"; to levy certain fees on the land disposal of hazardous waste in the state; and the appropriations made are supplemental to all other appropriations heretofore or hereafter made.

Committee on Health and Welfare.

By Senators Sanders and Figures:

S. 628. To create the Teenage Health and Pregnancy Council of Alabama; to provide for the composition of the Council, the duties and responsibilities and powers; to provide for intergovernmental cooperation for the purposes of the Council; and to prescribe that the Council shall report



its findings, make recommendations to the health department, the Governor and the Legislature, together with suggested legislation or areas of target.

Committee on Health and Welfare.

By Senator Sanders:

S. 629. To amend Section 33-17-8 of the Code of Alabama 1975, relating to the powers granted to the Tombigbee Valley Development Authority, so as to expand and clarify the powers of said authority with respect to the acquisition, leasing and conveyance of property.

Committee on Governmental Affairs.

### RESOLUTIONS

Senators Bailey, Aldridge, Amari, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Horn, Langford, Little, Menton, Mitchem, Parsons, Sanders, Smith (B), Smith (J), Strong, and Teague requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

S. J. R. 245. MEMORIALIZING THE UNITED STATES CONGRESS TO ENACT SPECIAL LEGISLATION GRANTING CITIZENSHIP TO JENS-PETER BERNDT-PATTERSON OF BIRMINGHAM, ALABAMA.

WHEREAS, Jens-Peter Berndt is a native of Potsdam, East Germany, who lived for 21 years within a few miles of the West German border and the heavily guarded fences that serve as barriers to personal freedom for East German citizens; and

WHEREAS, Peter Berndt, however, lived a life void of the deprivations suffered by the majority of the East German people, as he was one of his nation's most famous athletes and a former world record holder in the 400-meter individual medley; and

WHEREAS, though financially secure and otherwise enjoying the "good life," it was the lack of personal freedom that led Jens-Peter Berndt to his irreversible decision, on January 7, 1985, to ask for asylum in the United States; and

WHEREAS, Peter Berndt, the first East German athlete ever to defect to our country, is now a student and member of the University of Alabama swim team where he has made extensive contributions, taking second place in last year's NCAA meet in the 400 Individual Medley and also in the 200 IM; and

WHEREAS, now the adopted son of Tom and Becky Patterson of Birmingham, Alabama, Jens-Peter Berndt-Patterson is seeking a means to compete in the 1988 Olympics as an American citizen, a process that normally takes a period of five years; and

WHEREAS, though a berth in the 1988 Olympics would be virtually assured by his declaration of West German citizenship, for which he is eligible, it is Peter's earnest desire to compete as a representative of our nation, now his, and that of his adoptive parents; and

WHEREAS, Peter Berndt-Patterson is a fine young man, an exceptional athlete regarded as one of the most promising swimmers in the world, and

a young man of great courage as evidenced by his heart-rending decision to forever leave not only his homeland, but his family as well, for whose safety and well-being he yet fears; his desire for freedom was strong, and just as strong is his desire to compete as an American, and for America, in the 1988 Olympics; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,**

That we hereby most earnestly beseech of the United States Congress the special dispensation of private legislation granting American citizenship to Jens-Peter Berndt-Patterson of Birmingham, Alabama, to enable him to compete as an American in the 1988 Olympic Games.

**BE IT FURTHER RESOLVED,** That copies of this resolution be dispatched forthwith to the presiding officers of the United States Senate and the House of Representatives, and to the members of the Alabama Congressional Delegation that they may be advised of the Legislature's sincere desire in the case for citizenship for Jens-Peter Berndt-Patterson of Alabama.

On motion of Senator Bailey, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Strong offered the following Senate Resolution, to-wit:

**S. R. 246. COMMENDING PAMELA POOLE OF CASTLEBERRY, ALABAMA, FOR EXTRAORDINARY ACHIEVEMENT.**

Which was filed.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Biddle, Bachus, White (G), Beers, Pratt, Butler, and Turner:

**H. J. R. 290. RELATIVE TO MEETING DAYS.**

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That when we adjourn today, Thursday, March 6, 1986, we adjourn to meet again on Tuesday, March 18, 1986. The members shall not receive any compensation for the following dates: Monday, March 10, 1986; Tuesday, March 11, 1986; Wednesday, March 12, 1986; Thursday, March 13, 1986; and Friday, March 14, 1986.

JOHN W. PEMBERTON,  
Clerk.

### **HOUSE MESSAGE**

The Resolution, H. J. R. 290, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

REGULAR SESSION  
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By Rep. Blake:

H. J. R. 301. COMMENDING LAURIE LYNN GUNTER, "MISS ST. CLAIR COUNTY."

Also:

By Rep. Blake:

H. J. R. 302. NAMING "INDUSTRIAL DRIVE" IN RAGLAND, ALABAMA, THE "JESSE FORD DRIVE."

Also:

By Reps. Hooper and McKee:

H. J. R. 303. COMMENDING THE MONTGOMERY, ALABAMA, CLOVERDALE JUNIOR HIGH SCHOOL PTA.

Also:

By Rep. White (G):

H. J. R. 304. URGING OUR CITIZENS TO OBSERVE JUNE 1986, AS "YOUTH SUICIDE PREVENTION MONTH."

Also:

By Rep. White (G):

H. J. R. 305. COMMENDING YORIKO SAITO OF BIRMINGHAM, ALABAMA, FOR OUTSTANDING ACCOMPLISHMENT.

Also:

By Rep. Parker:

H. J. R. 306. COMMENDING THE DECATUR VIKINGS, 1985 POP WARNER NATIONAL JUNIOR MIDGET CHAMPIONS.

Also:

By Reps. Turner, Clark (W), Buskey (JE), Gaston, and Kvalheim:

H. J. R. 307. COMMENDING COACH ROBERT BETTIS AND THE CITRONELLE HIGH SCHOOL BASKETBALL TEAM FOR OUTSTANDING ACHIEVEMENT.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolutions, H. J. R.'s 301, 302, 303, 304, 305, 306, and 307, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Newman:

H. J. R. 313. COMMENDING HARVEY BIDDLE FOR DEDICATED AND DISTINGUISHED SERVICE TO THE MILLPORT BAPTIST CHURCH.

Also:

By Reps. Smith, Coleman, Harvey, Warren, Crow, Browder, Faulk, Flowers, Burke, Richardson, Dutton, Goodwin, Turner, and Blake:

H. J. R. 314. COMMENDING VOLUNTEER FIRE DEPARTMENTS FOR HELPING TO CONTROL FOREST FIRES.

Also:

By Reps. Mikell, McKee, Hooper, Starr, Buskey (JL), and Holmes:

H. J. R. 315. COMMENDING THE HIGHLAND GARDENS ELEMENTARY SCHOOL PTA.

Also:

By Reps. Gaston, Kvalheim, Buskey (JE), Clark (W), Zoghby, Kennedy, Turner, Marietta, Box, and Harper:

H. J. R. 316. COMMENDING DR. BOBBY CLARDY OF MOBILE, ALABAMA.

Also:

By Rep. Blake:

H. J. R. 317. CONGRATULATING MR. MELVIN SKEEN ON THE OCCASION OF HIS EIGHTIETH BIRTHDAY, APRIL 10, 1986.

Also:

By Rep. Pratt:

H. J. R. 319. COMMENDING WILKES BAPTIST CHURCH ON THE OCCASION OF ITS 75TH ANNIVERSARY AND DESIGNATING OCTOBER 5, 1986, AS WILKES BAPTIST CHURCH DAY IN MIDFIELD, ALABAMA.

Also:

By Rep. Pratt:

H. J. R. 320. CONGRATULATING MR. AND MRS. FELIX DeLOACH KING ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolutions, H. J. R.'s 313, 314, 315, 316, 317, 319, and 320, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Lindsey:

H. J. R. 322. COMMENDING ROBERT BRADFORD JOHNSON OF CENTRE, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

By Rep. Sasser:

H. J. R. 324. COMMENDING HEALTH OCCUPATION STUDENTS OF OZARK VOCATIONAL SCHOOL.

Also:

By Rep. McKee:

H. J. R. 325. COMMENDING FRED GUY, PRINCIPAL, ROBERT E. LEE HIGH SCHOOL, MONTGOMERY, ALABAMA.

Also:

By Rep. McKee:

H. J. R. 326. COMMENDING CORNELIA THOMASE, PRINCIPAL, FLOWERS ELEMENTARY SCHOOL, MONTGOMERY, ALABAMA.

Also:

By Rep. McKee:

H. J. R. 327. COMMENDING JIM GUNTER OF GOODWYN JUNIOR HIGH SCHOOL, MONTGOMERY, ALABAMA.

Also:

By Reps. Starr, McKee, Mikell, Holmes, and Buskey (JL):

H. J. R. 328. COMMENDING THE MONTGOMERY, ALABAMA, PETER CRUMP ELEMENTARY SCHOOL PTA.

Also:

By Rep. Sasser:

H. J. R. 333. NAMING THE BRIDGE ACROSS THE SEABOARD COASTLINE RAILROAD ON STATE HIGHWAY 123 LOCATED IN OZARK, DALE COUNTY, ALABAMA, THE "MARVIN E. PARKER BRIDGE."

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolutions, H. J. R.'s 322, 324, 325, 326, 327, 328, and 333, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Holley, Biddle, White (F), Blake, Adams, Bachus, Beasley, Beers, Black, Blakeney, Boles, Bowling, Browder, Bugg, Campbell, Carothers, Carter, Clark (D), Clark (J), Coleman, Crow, Drake, Faulk, Flowers, Fuller, Gaston, Goodwin, Hall, Harper, Harvey, Hooper, Johnson (RG), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, Mathis, McDowell, McKee, McMillan, McNair, Newman, Newton, Onderdonk, Parker, Payne, Pratt, Rains, Reed, Rice, Richardson, Sasser, Smith, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Venable, White (G), and Zoghby:

**H. J. R. 334. EXPRESSING LEGISLATIVE INTENT REGARDING THE EXEMPTION OF PRESCRIPTION DRUGS FOR PERSONS 65 YEARS OF AGE OR OLDER FROM TAXATION.**

Whereas the Legislature in 1972 passed Act No. 176, 3rd Special Session 1971, codified at Section 40-23-4(30) of the Code of Alabama 1975; and

Whereas this Act was interpreted and applied to provide that all prescription drugs for persons over 65 years of age were exempt from sales tax; and

Whereas the Legislature later passed Act No. 81-663 now codified in Section 40-23-4.1 of the Code of Alabama 1975; and

Whereas the Legislature later passed Act No. 85-60 and Act No. 85-952 which were joint resolutions of the Legislature expressing Legislative intent; and

Whereas the Legislature now desires to clarify such intent as to said Act No. 176; now therefor;

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That Legislature expressly declares that it intended all prescription drugs prescribed by a physician for persons 65 years of age or older and filled by a licensed pharmacist to be exempt from all sales tax regardless of where such drugs are purchased or sold as long as such drugs are for the use of a person 65 years of age or older.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolution, H. J. R. 334, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Rogers, Escott, McDowell, Bachus, Black, Blakeney, Bryant, Butler, Coleman, Dutton, Grouby, Johnson (RG), Kennedy, McMillan, Mikell, Onderdonk, Pratt, Spratt, and Thomas:

**H. J. R. 321. URGING THE DEPARTMENT OF PENSIONS AND SECURITY TO PROVIDE CERTAIN SERVICES.**

WHEREAS, adequate federal and state funding of the Department of Pensions and Security is in jeopardy; and

WHEREAS, said Department is faced with limited alternatives concerning what services may be offered to the citizens of Alabama; and

WHEREAS, this legislative body believes day care centers and programs for retarded children are of paramount importance to the people of Alabama; and

WHEREAS, the legislature feels transportation services for indigent medical patients receiving chemotherapy and dialysis are of utmost concern to our state; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That the Department of Pensions and Security is urged to continue the operation of day care centers and programs for retarded children. The Department is also urged to provide transportation services for indigent patients receiving chemotherapy and dialysis.

**BE IT FURTHER RESOLVED,** That the Department of Pensions and Security receive a copy of this resolution so that this legislature's concern is known.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 321, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Smith:

**H. 37.** To amend Section 41-4-150, Code of Alabama 1975, relating to the printing of the acts and journals, so as to reduce the number printed.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

**H. B. 37—to the Committee on Governmental Affairs**

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Penry and McMillan:

H. 473. To provide the State Department of Education the authority to enter into contracts for periods not greater than three years for the storage and distribution of the United States Department of Agriculture commodities.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 473—to the Committee on Education

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Drake, Smith, Richardson, Reed, Butler, White (F), Lindsey, Grouby, Penry, Coleman, Blakeney, Mitchell, Rains, Faulk, Turnham, Preuitt, Bowling, Carter, Junkins, Holley, Warren, Beasley, Thomas, Johnson (RW), Tanner, Venable, Gaston, Hammett, Browder, Martin, Bryant, Blake, Clark (J), Newton, Clark (D), Starkey, Adams, Kvalheim, Onderdonk, Burke, Crow, Harvey, Newman, Goodwin, Flowers, Lauderdale, Britnell, Turner, Poole, Mathis, Brakefield, Johnson (RG), Carothers, Starr, McKee, McMillan, Black, and Campbell:

H. 611. To establish the Farm Crisis and Transition Program and Commission in the State to provide needed career-oriented technical education and counseling services to farmers and agricultural businessmen in the State in the fields of agricultural finance and accounting, law, farm planning, vocational training and social services at a reasonable cost or on a no-cost basis; to provide supplemental job training to enable economically distressed farmers and agricultural businessmen to remain in farming or to retain their businesses or to facilitate an orderly transition from agriculture to other activities; to provide for the employment by the Commission of a program coordinator, necessary staff and specialist support personnel; to provide that the Commission may appoint an advisory committee; to provide for regional offices to be established to coordinate local regional activities and provide for certification of qualified professionals in the fields of agricultural finance and accounting, law, farm planning, vocational training and social services; to provide farmers and agricultural businessmen seeking program assistance with names of qualified and certified professionals in their region; to ensure that regional offices actively initiate and maintain a highly visible public awareness program and prepare a descriptive system of periodic program reports with the Commission; to provide for coordination of the Commission's activities with all other state agencies involved in



providing services to farmers; to authorize the Governor to accept, on behalf of the State, private contributions for the benefit of the Program; to provide for the severability of the provisions of this Act; and to provide an effective date.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 611—to the Committee on Agriculture, Conservation, and Forestry

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Reps. Martin, Smith, Goodwin, Grouby, McKee, Starr, Hooper, Johnson (RW), Crow, Beers, Bachus, Biddle, Seibels, Bugg, Coleman, Butler, Richardson, Junkins, Payne, Newman, Lauderdale, Lindsey, Harvey, Adams, McNair, Buskey (JL), Rains, Hammett, Venable, White (L), Faulk, Nicholson, Mathis, Beasley, Warren, McMillan, Carothers, Penry, Fuller, Harper, Carter, Gaston, Blakeney, Bryant, Laird, Johnson (RG), Buskey (JE), Box, Flowers, Gray, Clark (J), Cosby, Pratt, Perdue, White (G), Melton, Burke, Browder, Mitchell, Marietta, Zoghby, Kvalheim, Kennedy, White (F), Campbell, Britnell, Bowling and Hettinger:

H. 313. To amend Sections 36-25-1, 36-25-14 and 36-25-27, Code of Alabama, so as to delete the definition of "legislative employee"; add the definition of "statement of economic interests"; to provide further for the filing of statement of economic interests by public officials and certain public employees; and to provide further for penalties for violations.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 313—to the Committee on Judiciary

### REPORTS OF COMMITTEES

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Langford:

S. 593. To amend Sections 41-13-5 and 41-13-22 through 41-13-25 relating to the management of certain public records so as to provide further for such management to include such records of municipalities; and to create a local government records commission in lieu of a county records commission.

By Senator Bedsole:

S. 577. To authorize county commissions to issue bonds for the purpose of public improvements; provides for disposition of the proceeds from the sale of the bonds; provides for the redemption and refunding of the bonds; and amends section 11-28-3, Code of Alabama 1975, which provides for the issuance of county warrants, so as to provide further for such issuance.

Senator Aldridge, Chairperson of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Menton:

S. 178. To amend §34-24-361 Code of Alabama, 1975, to provide that complaints before the Medical Licensure Commission and the Board of Medical Examiners and testimony with respect thereto are absolutely privileged and to grant immunity from suit to the Board of Medical Examiners and the Medical Licensure Commission.

By Senator Menton:

S. 179. To amend §34-24-360(15) to authorize the Medical Licensure Commission to suspend or revoke a license to practice medicine or osteopathy when another State licensing board takes disciplinary action against a physician; to provide for the severability of the provisions of this Act; to provide for the repeal of all laws in conflict with this Act; and to provide an effective date for this Act.

By Reps. Johnson (RG) and Carothers:

H. 203. Relating to the Board of Medical Examiners and the Medical Licensure Commission to authorize the Board of Medical Examiners in its capacity as a certifying board to assess administrative fines not to exceed \$1500.00 for each violation of the provisions of §20-2-54 or the rules and regulations of the Board; and further to authorize the Medical Licensure Commission to assess administrative fines not to exceed \$2500.00 for violations of §34-24-360 or the rules and regulations of the Commission; and further to provide that a portion of these fines shall be paid to the Board and deposited in a segregated account designated The Alabama Physicians Education Fund; and further to authorize at the discretion of the Board of Medical Examiners the expenditure of funds in The Alabama Physicians Education Fund only for the education, rehabilitation or treatment of physicians licensed to practice medicine in Alabama who are impaired by reason of mental or emotional illness or addiction to alcohol or drugs or for programs of continuing medical education; and further to provide that the Board is authorized to contract for programs, services, and materials without regard to the competitive bid laws for expenditures made from The Alabama Physicians Education Fund; and further to provide that the Medical Licensure Commission shall not renew the annual certificate of registration of any

physician against whom an administrative fine has been assessed until the fine is paid in full; to provide for the severability of the provisions of this Act; to provide for the repeal of all laws in conflict with this Act; and to provide an effective date for this Act.

By Reps. Carothers and Johnson (RG):

H. 204. To amend §34-24-360(15) to authorize the Medical Licensure Commission to suspend or revoke a license to practice medicine or osteopathy when another State licensing board takes disciplinary action against a physician; to provide for the severability of the provisions of this Act; to provide for the repeal of all laws in conflict with this Act; and to provide an effective date for this Act.

By Senator Menton:

S. 181. Relating to the Board of Medical Examiners and the Medical Licensure Commission to authorize the Board of Medical Examiners in its capacity as a certifying board to assess administrative fines not to exceed \$1500.00 for each violation of the provisions of §20-2-54 or the rules and regulations of the Board; and further to authorize the Medical Licensure Commission to assess administrative fines not to exceed \$2500.00 for violations of §34-24-360 or the rules and regulations of the Commission; and further to provide that a portion of these fines shall be paid to the Board and deposited in a segregated account designated The Alabama Physicians Education Fund; and further to authorize at the discretion of the Board of Medical Examiners the expenditure of funds in The Alabama Physicians Education Fund only for the education, rehabilitation or treatment of physicians licensed to practice medicine in Alabama who are impaired by reason of mental or emotional illness or addiction to alcohol or drugs or for programs of continuing medical education; and further to provide that the Board is authorized to contract for programs, services, and materials without regard to the competitive bid laws for expenditures made from The Alabama Physicians Education Fund; and further to provide that the Medical Licensure Commission shall not renew the annual certificate of registration of any physician against whom an administrative fine has been assessed until the fine is paid in full; to provide for the severability of the provisions of this Act; to provide for the repeal of all laws in conflict with this Act; and to provide an effective date for this Act.

By Senator Menton:

S. 183. Relating to the liability of physicians and osteopaths serving on hospital committees; to state the legislative intent; to provide definitions for the term hospital, physician, hospital medical staff, and committee; to provide that any physician, osteopath or other health care provider serving on any committee of a hospital medical staff and any consultant, attorney, auxiliary personnel or employee of such committee shall not be liable to any person for any damages arising from any claim whatsoever related to or arising out of any action, investigation, report or recommendations made or taken by such committee when such action, investigation, report or recommendation was taken or made by him within the scope of his function as a member of the committee without malice and in good faith in the reasonable belief that such action, investigation, report or recommendation was warranted by the facts known or reasonably established; to provide for the severability of the provisions of this Act; to provide for the repeal of all laws in conflict with this Act; and to provide an effective date for this Act.

By Rep. White (L):

H. 48. To amend Section 34-23-51, Code of Alabama 1975, which provides for licensing and examinations of pharmacists, so as to provide further for the examinations of applicants for the profession.

By Reps. Clark (J), Turnham, Onderdonk, Campbell, Crow, Browder, Johnson (RW), and Holley:

H. 119. To abolish any zoning law, ordinance or regulation which prohibits mentally retarded or mentally ill persons from living in a natural residential environment zoned "multi family" as it appears in zoning laws or ordinances so as not to exclude certain groupings of mentally retarded or mentally ill persons.

By Rep. Biddle:

H. 178. To amend §34-24-361 Code of Alabama, 1975, to provide that complaints before the Medical Licensure Commission and the Board of Medical Examiners and testimony with respect thereto are absolutely privileged and to grant immunity from suit to the Board of Medical Examiners and the Medical Licensure Commission.

By Rep. Biddle:

H. 179. Relating to the acquisition and/or transportation of donor organs retrieved in Alabama; to state the legislative intent; to define the terms chairman, person, quality assurance, organ and service; to provide that the chairman is to establish policies, procedures and standards and certify compliance with the established quality assurance standards of persons engaging in organ acquisition, and/or transportation, of organs retrieved in Alabama; but Chairman shall not certify a person until that person possesses and demonstrates to the Chairman the necessary knowledge and technical skills to comply with the established standards of quality assurance; after Chairman establishes and promulgates initial standards of quality assurance, Chairman is to circulate proposed updating of quality assurance standards to institutions then performing organ transplantation, but Chairman shall still have final and sole decision to establish and promulgate whatever appropriate for updating standards of quality assurance; to provide that persons providing any service pertaining to the acquisition and/or transportation of organs retrieved in Alabama shall strictly adhere to and follow established quality assurance standards; to provide for sanctions for persons providing services in violation of the established policies and procedures and standards of the Chairman for quality assurance in that they shall not receive reimbursement for such services from programs administered by the State of Alabama, and that Chairman will recommend to other reimbursing agencies that reimbursement be denied; to provide for immunity from civil damages or criminal prosecution to any person who, in good faith, follows the policies and procedures and standards established by the Chairman, and complies with the provisions of the Alabama Uniform Anatomical Gift Act; and to provide the Article is cumulative and to be construed in pari materia with other laws relating to the public health and anatomical gifts and when standards of quality assurance are adopted by the federal government, Alabama standards shall be consistent with federal regulations.

Senator Aldridge, Chairperson of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable

report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Drinkard (With Amendment):

S. 539. To amend Section 34-24-51 of the Code of Alabama 1975, relating to practicing medicine or osteopathy without a license, so as to provide for exemption of accredited Christian Scientists practicing healing by spiritual means.

Senator Aldridge, Chairperson of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Bedford and Bennett:

S. 562. To provide further for the regulation, control, abatement and prevention of environmental problems in the state, including problems resulting from air and water pollution, solid and hazardous waste management activities, coastal area activities, the supply of drinking water, water well drilling and the operation of water and wastewater treatment plants. Specifically, this Act amends Section 22-22A-5, Code of Alabama 1975, as amended, to authorize the Alabama Department of Environmental Management to issue administrative orders assessing civil penalties for violation of laws which it administers; to provide against certain duplicate and repetitive administrative penalties; to authorize the Alabama Department of Environmental Management or Attorney General to commence civil actions to recover penalties for such violations; and to require that such penalties be deposited to the credit of the general fund; to authorize the Alabama Department of Environmental Management, Attorney General or District Attorneys to commence civil actions to enjoin violations of laws administered by the Alabama Department of Environmental Management; to clarify the authority of the Alabama Department of Environmental Management to enforce the provisions of laws which it administers and to issue licenses. This Act also amends Section 22-22A-7, Code of Alabama 1975, as amended, to provide that administrative action which was or could have been reviewed by the Environmental Management Commission shall not be subject to judicial review in civil or criminal enforcement proceedings; to provide for appeals of rules or regulations based on grounds arising after promulgation of such rules and regulations; to provide for prompt appeals to circuit court. This Act also amends Section 22-22A-11, Code of Alabama 1975, as amended, relating to the Alabama Department of Environmental Management Fund to allow for deposit of fines and penalties into the general fund. This Act also amends Sections 9-7-22, 22-22-9, 22-28-22 and 22-23-52, Code of Alabama 1975, as amended, to repeal provisions relating to civil actions for the recovery of penalties and injunctive relief. This Act also amends Section 22-22-9, Code of Alabama 1975, as amended, to clarify that enforcement provisions are applicable to permits and orders issued by the Alabama Department of Environmental Management; to clarify that certain provisions apply to pollutants as well as sewage, industrial wastes or other wastes; to clarify existing subpoena powers; and to modify the notice requirements for water quality standards. This Act also amends Section 22-22-14, Code of Alabama 1975, as amended, to provide further for the punishment of persons who are convicted of a violation committed after a first conviction. This Act also amends Section 22-28-22, Code of Alabama 1975, as amended, to clarify existing subpoena powers. This Act also amends Section 22-28-23, Code of

Alabama 1975, as amended, to provide that local air pollution programs may adopt provisions for administrative assessment of civil penalties and issue permits in lieu of permits from the Department. This Act also amends Section 22-30-19, Code of Alabama 1975, as amended, to repeal provisions relating to administrative assessment of penalties; to permit representatives of the Alabama Department of Environmental Management to enter premises, including transportation facilities, for purposes related to the administration of the Hazardous Wastes Management Act of 1978, including inspection and copying of records required to be maintained; to make criminal a culpable omission in an application, label, manifest, record, report, permit or document and the destruction, alteration, concealment or failure to maintain or file certain documents; and to increase the fines for criminal offenses. This Act also makes clear the legislative intention that the Alabama Department of Environmental Management provide notice in the manner prescribed by those laws made expressly applicable to it.

By Rep. Campbell:

H. 196. Relating to "The Lifesaving Organ Procurement Act of 1986", to state the Legislative intent; to define the word "organ" and "attending physician", to better provide for the public health by providing that on the occurrence of death of a patient in a hospital, who has not made an anatomical gift to take place upon death, the hospital administrator, or designated representative to request, of specified survivors, in accordance with Section 22-19-42 (b), Code of Alabama, 1975, in the order of priority stated, and when persons in prior classes are not available at the time of death, and in the absence of actual notice to the contrary by the decedent or one in a prior class, to consent to the gift of organs of the decedent's body; to provide such request and its disposition shall be noted in the patient's medical record; to provide, where, based upon medical criteria that such a request would not yield an anatomical gift which would be suitable for use, or, where, based upon the special and peculiar knowledge of the attending physician and/or concerning the circumstances surrounding the death of the patient, there is an exception to the request required by this Article and such determination shall be noted in the patient's medical record; to provide for immunity from civil damages or criminal prosecution to any person who acts in good faith accord; and to provide that the provisions of this Article are cumulative and, insofar as possible, shall be construed in pari materia with other laws relating to the public health and anatomical gifts.

Senator Aldridge, Chairperson of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Teague (With Amendment):

S. 475. To amend Section 34-23-2, Code of Alabama 1975, relating to the practice of pharmacy in this state, so as to declare it a learned profession.

Senator Foshee, Chairperson of the Standing Committee on Buildings and Grounds, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Foshee:

S. 598. To amend certain sections of Chapter 2 of Title 14 of the Code of Alabama 1975 to provide for the payment of capitalized interest from the proceeds from the sale of bonds of the authority for a period not to exceed one year from the date of issuance of such bonds; and to provide that rent payments by the state or any of its agencies shall be due in accordance with the provisions of any lease by the authority of any of its facilities.

By Senator Foshee:

S. 606. To make a conditional appropriation from the State General Fund to the Alabama Development Office for the Alabama Film Commission for the fiscal year ending September 30, 1986.

By Senator Teague:

S. 609. To require all motor vehicle operators to have certain liability insurance coverage or financial security and to furnish proof of such coverage or security and to provide criminal sanctions for violating the provisions of this act.

By Senator Teague:

S. 610. To exempt the Amvets of Alabama from the payment of all state, county and municipal sales and use taxes.

By Senator Corbett:

S. 611. To exempt the Dixie Youth Baseball and Ladonia Recreation Association in Russell County from all state and local sales and use taxes.

By Senator Corbett:

S. 612. To exempt the Tuskegee Civic Association, Inc., from the payment of all state, county and municipal sales and use taxes.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Aldridge (With Notice and Proof):

S. 566. Relating to Lawrence County, providing further for annexation of the below described land to the City of North Courtland.

By Senator Smith (J) (With Notice and Proof):

S. 599. To alter, rearrange and extend the boundary lines of the City of Athens, Limestone County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Limestone County, Alabama.

By Senator Strong (With Notice and Proof):

S. 600. To propose an amendment to the Constitution of Alabama of 1901, relating to fire protection districts in Clarke County, so as to provide for the levy and collection of certain additional property tax for fire protection in said county.

The above Bill was read a second time at length as required by the Constitution.

By Senator Drinkard (With Notice and Proof):

S. 601. Relating to Etowah County; to provide for the mailing addresses of the grantees to appear on all conveyances of real property recorded in the probate office of such county.

By Senator Teague (With Notice and Proof):

S. 613. To extend, alter and rearrange the boundary lines and corporate limits of the City of Lincoln, Talladega County, Alabama.

Senator Bishop, Chairperson of the Standing Committee on Rules reported that the following Bills have been placed at the end of the Regular Order Calendar for today, to-wit:

By Senator Drinkard:

S. 293. To amend Section 18-3-1, Code of Alabama 1975, which provides for acquisition of rights-of-way by private parties, so as to provide further for said acquisition.

By Senators Mitchem and Bedford:

S. 73. To amend Section 17-4-153, Code of Alabama 1975, relating to expense allowances for registrars, so as to provide for an increase.

### RESOLUTION

Senators Bedford and Mitchem offered the following Senate Joint Resolution, to-wit:

S. J. R. 247. CONGRATULATING THE PHILLIPS HIGH SCHOOL GIRLS BASKETBALL TEAM, OUR STATE 1A CHAMPIONS.

WHEREAS, in consensus of highest commendation, the Legislature of Alabama congratulates Coach Billy Raper and his She Bear Cagers of Phillips High School, Bear Creek, Alabama, as our State 1A champions; and

WHEREAS, the only girls high school squad in Alabama to successfully defend its title, the Phillips High She Bears claimed their second consecutive crown by virtue of a 65-59 defeat of Holy Family of Birmingham on March 8, 1986, in Decatur; and

WHEREAS, under the talented direction of Coach Raper, a 4-year veteran at Phillips, and his staff, the She Bears finished their Championship season with a phenomenal 28-4 record which included crucial and hard fought substate victories over Brilliant, Belgreen and Spring Garden, and their state triumphs over Pleasant Home in the semifinals and Holy Family in the Championship matchings; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend and congratulate the Bear Creek Phillips High School She Bears on their State 1A Girls Basketball Championship, their second straight, and direct that copies of this resolution be forwarded to Phillips High for appropriate presentation and school display.

On motion of Senator Bedford, the Rules were suspended and the Resolution was adopted by the Senate.



**BILL RECONSIDERED**

Senator Cabaniss moved that the Senate reconsider the vote by which the Bill, S. B. 556, was passed.

Senator Smith (J) moved that further consideration of the motion to reconsider be postponed for three Legislative Days.

Senator Smith (J) then moved that the motion to postpone be laid on the table, which motion was lost.

Yeas 2; Nays 11.

*Yeas:*

Senators:	Smith (J)	Strong	—2
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*Nays:*

Senators:	Bedsole	Corbett	Menton	
Aldridge	Bishop	Foshee	Parsons	
Bedford	Cabaniss	Horn	Smith (B)	—11

The President and Presiding Officer of the Senate declared a quorum present but not voting.

The question recurred on the motion of Senator Smith (J), that further consideration of the motion to reconsider be postponed for three Legislative Days, which motion was adopted.

**RESOLUTIONS**

Senators Menton and Dial offered the following Senate Joint Resolution, to-wit:

S. J. R. 248. CREATING A JOINT LEGISLATIVE SELECT COMMITTEE TO THOROUGHLY INVESTIGATE THE PUBLIC SERVICE COMMISSION REGULATIONS RELATING TO LOCAL TELEPHONE CALLS, AND TO REQUIRE THAT SAID COMMITTEE SHALL REPORT TO THE LEGISLATURE ITS FINDINGS, CONCLUSIONS AND RECOMMENDATIONS.

WHEREAS, there is a serious and present need to have a joint legislative select committee study and consider in a comprehensive manner the public service commission regulations relating to local telephone calls; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint legislative select committee to be composed of three members of the House of Representatives, to be appointed by the Speaker of the House, and three members of the Senate, to be appointed by the President of the Senate. The chairman of the committee shall be chosen by the members.

The members of the committee shall be entitled to their regular pay and per diem expenses, including mileage, for each day in which they are engaged in committee work. Such pay and expenses shall be paid out of any available funds appropriated for use of the legislature. Provided, that the total expenditures of the committee shall not exceed \$2,000.00.

The committee shall dissolve on November 1, 1986, and on that date the committee shall file a report of its findings with the Clerk of the House of Representatives and the Secretary of the Senate.

On motion of Senator Menton, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Goodwin, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Hand, Hilliard, Holmes, Horn, Langford, Little, Menton, Mitchem, Parsons, Sanders, Smith (B), Smith (J), Strong and Teague offered the following Senate Resolution, to-wit:

S. R. 249. MOURNING THE DEATH OF HENRY D. ALFORD OF MONTGOMERY, ALABAMA.

Which was filed.

### BUDGET ISOLATION RESOLUTION

On motion of Senator Bishop, the Rules were suspended and the B. I. R., S. B. 531, was adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	Denton	Holmes	Sanders	
Amari	Dial	Horn	Smith (B)	
Bishop	Dixon	Langford	Strong	
Cabaniss	Figures	Little	Teague	
Corbett	Foshee	Menton		—18

Nays: —0

### RESOLUTIONS

Senator Foshee offered the following Senate Resolution, to-wit:

S. R. 250. EXPRESSING APPRECIATION TO CBS AND THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION.

Which was filed.

Senator Denton offered the following Senate Resolution, to-wit:

S. R. 251. COMMENDING PHIL MONTGOMERY FOR HIS DETERMINED EFFORT AND SUCCESSFUL RESCUE OF A YOUNG PLANE CRASH VICTIM.

Which was filed.

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 252. COMMENDING MARK C. SMITH OF HUNTSVILLE, ALABAMA.

Also:

S. R. 253. COMMENDING DAVID L. MUNDIE OF HUNTSVILLE, ALABAMA.

Also:

S. R. 254. COMMENDING HUGH L. SUTHERLAND, PROMINENT HUNTSVILLE PHYSICIAN.

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Also:

S. R. 255. COMMENDING HERMAN WATSON, JR., PROMINENT HUNTSVILLE ATTORNEY.

Also:

S. R. 256. COMMENDING RUSSELL L. BROWNING, PROMINENT HUNTSVILLE PHYSICIAN.

Which were filed.

**BUDGET ISOLATION RESOLUTIONS**

Senator Sanders, B. I. R., H. B. 618, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Menton	
Aldridge	Dial	Hand	Mitchem	
Barron	Dixon	Holmes	Parsons	
Bedford	Drinkard	Horn	Sanders	
Bedsole	Ellis	Langford	Strong	
Bennett	Figures	Little	Teague	
Cooley	Foshee			—25

*Nays:* —0

On motion of Senator Bishop, the Rules were suspended and the B. I. R., H. B. 532, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Mitchem	
Aldridge	Dial	Hand	Parsons	
Barron	Dixon	Holmes	Sanders	
Bedsole	Drinkard	Horn	Smith (B)	
Bennett	Ellis	Little	Strong	
Bishop	Figures	Menton	Teague	
Cooley	Foshee			—25

*Nays:* —0

On motion of Senator Langford, the Rules were suspended and the B. I. R., S. B. 575, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Figures	Little	
Amari	Cabaniss	Foshee	Menton	
Bailey	Cooley	Hand	Mitchem	
Barron	Denton	Holmes	Parsons	
Bedford	Dial	Horn	Sanders	
Bedsole	Dixon	Langford	Teague	
Bennett	Ellis			—25

*Nays:* —0

## BILLS ON THIRD READING

## THE BILL:

H. 618. Relating to Lowndes County; suspending the implementation of the provisions of Act No. 85-740, H. 900, 1985 Regular Session, as amended by Act No. 85-827, S. 150, 1985 2nd Special Session, until January 1, 1987.

was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Senators:	Denton	Goodwin	Menton	
Aldridge	Dial	Hand	Mitchem	
Barron	Dixon	Holmes	Parsons	
Bedford	Drinkard	Horn	Sanders	
Bedsole	Ellis	Langford	Strong	
Bennett	Figures	Little	Teague	
Cooley	Foshee			—25

Nays: —0

## THE BILL:

S. 575. To provide for the filing for record and the preservation of all orders and judgments made and entered by any judge of the circuit court of the 15th Judicial Circuit of Alabama, and to provide that such judgments or orders shall have the same force and effect as minutes of the circuit court of said circuit prior to the passage and approval of this act and to provide for retroactive effect.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Senators:	Bishop	Figures	Little	
Amari	Cabaniss	Foshee	Menton	
Bailey	Cooley	Hand	Mitchem	
Barron	Denton	Holmes	Parsons	
Bedford	Dial	Horn	Sanders	
Bedsole	Dixon	Langford	Teague	
Bennett	Ellis			—25

Nays: —0

## THE BILL:

H. 532. Relating to Walker County; to amend Act 83-428, Senate Bill 355, Regular Session, 1983 (Acts of Alabama, 1983, Volume 1, pages 607-608) so as to provide the Walker County Board of Education the authority to establish the salary of the Superintendent of Education of Walker County.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Mitchem	
Aldridge	Dial	Hand	Parsons	
Barron	Dixon	Holmes	Sanders	
Bedsole	Drinkard	Horn	Smith (B)	
Bennett	Ellis	Little	Strong	
Bishop	Figures	Menton	Teague	
Cooley	Foshee			—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Bedford, B. I. R., S. B. 561, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Aldridge	Denton	Hand	Mitchem	
Barron	Dial	Holmes	Parsons	
Bedford	Dixon	Horn	Sanders	
Bedsole	Drinkard	Langford	Strong	
Bennett	Ellis	Little	Teague	
Cabaniss	Figures			—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 561. To amend the title and Section 1 of Act No. 82-317, H. 793 of the 1982 Regular Session (Acts 1982, p. 429) relating to allocation and distribution of certain oil and gas privilege tax revenues accruing to Fayette County or any municipality therein, so as to provide further for such allocation and distribution.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Aldridge	Denton	Hand	Mitchem	
Barron	Dial	Holmes	Parsons	
Bedford	Dixon	Horn	Sanders	
Bedsole	Drinkard	Langford	Strong	
Bennett	Ellis	Little	Teague	
Cabaniss	Figures			—25

*Nays:* —0

**THE BILL:**

S. 551. Relating to Franklin County; to create a motor vehicle license division within the tax assessor's office for the issuance of motor vehicle

licenses; to provide for a certain computerized branch office at Red Bay, Alabama; to provide certain duties for the division; to provide a procedure for handling cases involving invalid personal checks given for licenses and the voiding of such licenses; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and costs pursuant to such system of renewal of motor vehicle licenses by mail; to provide that such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; to provide for the issuance of motor vehicle licenses by the tax assessor's office and to transfer certain duties now performed by the probate judge and tax collector to said tax assessor.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Aldridge	Denton	Hand	Mitchem	
Barron	Dial	Holmes	Parsons	
Bedford	Dixon	Horn	Sanders	
Bedsole	Drinkard	Langford	Strong	
Bennett	Ellis	Little	Teague	
Cabaniss	Figures			—25

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

Senator Cooley, B. I. R., H. B. 628, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Aldridge	Denton	Goodwin	Mitchem	
Barron	Dial	Hand	Parsons	
Bedsole	Dixon	Holmes	Sanders	
Bennett	Drinkard	Horn	Strong	
Bishop	Ellis	Little	Teague	
Cabaniss	Figures			—25

*Nays:* —0

### UNFINISHED BUSINESS

#### BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the Unfinished Business for today, the first item of which was the Bill:

H. 185. To create the County Government Capital Improvement Fund; to make certain annual appropriations to such fund from the General Fund of the State based upon the amounts of income from the investment of certain moneys derived by the State from the leasing of rights in and royalty payments from offshore oil, gas and other hydrocarbon minerals; to provide

for the distribution of such appropriations among county governments; and to provide for the uses to which such moneys shall be put.

and pending Smith (B) amendment No. 2, having been set out in the Journal of the Senate for the Nineteenth Legislative Day, and postponed on the Twentieth Legislative Day.

On motion of Senator Denton, said Smith (B) amendment No. 2 was laid on the table.

Senator Cabaniss offered the following amendment to the Bill, H. B. 185, to-wit:

**AMENDMENT TO H. B. 185**

Amend H. B. 185, Page 3, Line 18, by striking out 45.45 after the word to and inserting 30% in its place and on line 21 striking out 54.55 after the word to and inserting 70% in its place.

On motion of Senator Denton, said amendment was laid on the table.

Yeas 19; Nays 8.

*Yeas:*

Senators:	Bishop	Denton	Holmes	
Aldridge	Cooley	Ellis	Menton	
Bailey	Corbett	Foshee	Parsons	
Bedford	Covington	Goodwin	Strong	
Bedsole	deGraffenried	Hand	Teague	—19

*Nays:*

Senators:	Cabaniss	Hilliard	Langford	
Amari	Drinkard	Horn	Smith (B)	
Bennett				—8

And said Bill, H. B. 185, was read a third time at length and passed.

Yeas 24; Nays 5.

*Yeas:*

Senators:	Cooley	Foshee	Little	
Aldridge	Corbett	Goodwin	Menton	
Bailey	Covington	Hand	Parsons	
Bedford	deGraffenried	Holmes	Smith (J)	
Bedsole	Denton	Horn	Strong	
Bennett	Ellis	Langford	Teague	
Bishop				—24

*Nays:*

Senators:	Cabaniss	Hilliard	Smith (B)	
Amari	Drinkard			—5

The Senate proceeded to consideration of the second item of Unfinished Business for today, which was the Bill:

H. 132. To create the Municipal Government Capital Improvement Fund; to make certain annual appropriations to such fund from the General Fund of the State based upon the amounts of income from the investment

of certain moneys derived by the State from the leasing of rights in and royalty payments from offshore oil, gas and other hydrocarbon minerals; to provide for the distribution of such appropriations among incorporated municipalities; and to provide for the uses to which such monies shall be put.

### RECESS

At 12:30 P.M., on motion of Senator Bishop, the Senate took a recess until 2 o'clock P.M.

The recess period having expired, at 2 o'clock P.M., the Senate was called to order by President Pro Tempore Teague. A quorum of the Senate was present.

### RESOLUTION

Senator Teague requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

S. J. R. 257. DESIGNATING MAY 4-MAY 11, 1986, AS "DAYS OF REMEMBRANCE OF THE VICTIMS OF THE HOLOCAUST."

WHEREAS, from 1933 to 1945, six million Jews were murdered in the Nazi Holocaust as part of a systemic program of genocide, and millions of other people perished as victims of Nazism; and

WHEREAS, the people of the State of Alabama should always remember the atrocities committed by the Nazis so that such horrors may never again be repeated; and

WHEREAS, the people of the State of Alabama should continually rededicate themselves to the principle of equal justice for all people; and

WHEREAS, the people of the State of Alabama should remain eternally vigilant against all tyranny, and recognize that bigotry provides a breeding ground for tyranny to flourish; and

WHEREAS, May 6 has been designated, pursuant to an Act of Congress and Internationally, as a Day of Remembrance of Victims of the Nazi Holocaust known as Yom Hoshuah; and

WHEREAS, it is appropriate that the people of the State of Alabama join in this international commemoration; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in memory of the victims of the Holocaust, and in the hope that we will strive always to overcome prejudice and inhumanity through education, vigilance and resistance, we hereby designate the week of May 4 through May 11, 1986, as the Days of Remembrance of the Victims of the Holocaust, and urge observance of same by all citizens of the State of Alabama.

On motion of Senator Teague, the Rules were suspended and the Resolution was adopted by the Senate.

### FURTHER CONSIDERATION OF H. B. 132

The Senate proceeded to further consideration of the Bill, H. B. 132.

Senator Dial offered the following amendment to the Bill, H. B. 132, to-wit:

### AMENDMENT TO H. B. 132

Amend House Bill 132, page 3, line 20, after the word "body" by deleting the remainder of the sentence in its entirety.



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Further amend House Bill 132, page 3, line 24, by deleting the following:  
“, plus its matching funds,”

Further amend House Bill 132, page 3, lines 26 & 27, by deleting the following: “, along with its matching funds,”

Senator Langford moved that said amendment be laid on the table, which motion was lost.

Yeas 3; Nays 23.

*Yeas:*

Senators:	Cabaniss	Langford	Smith (B)	—3
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*Nays:*

Senators:	Bishop	Dixon	Holmes	
Amari	Cooley	Ellis	Little	
Bailey	Corbett	Foshee	Mitchem	
Bedford	Covington	Goodwin	Parsons	
Bedsole	deGraffenried	Hand	Strong	
Bennett	Dial	Hilliard	Teague	—23

And said amendment was then adopted.

Yeas 24; Nays 2.

*Yeas:*

Senators:	Cooley	Ellis	Little	
Amari	Corbett	Foshee	Menton	
Bailey	Covington	Goodwin	Mitchem	
Bedford	deGraffenried	Hand	Smith (B)	
Bedsole	Dial	Hilliard	Strong	
Bennett	Dixon	Holmes	Teague	
Bishop				—24

*Nays:*

Senators:	Cabaniss	Langford	—2
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Senator Bishop offered the following amendment to the Bill, H. B. 132, as amended, to-wit:

**AMENDMENT TO H. B. 132**

Amend House Bill No. 132, Page 3, Line 5, by striking out one thousand dollars (\$1,000.00) after the word receive and insert in lieu thereof the following:

“five thousand dollars (\$5,000.00)”

Senator Langford moved that said amendment be laid on the table, which motion was lost.

Yeas 10; Nays 19.

Yeas:

Senators:	Bennett	Goodwin	Langford	
Amari	Cabaniss	Hand	Smith (B)	
Bedsole	Dixon	Hilliard		—10

Nays:

Senators:	Cooley	Drinkard	Menton	
Bailey	Corbett	Ellis	Mitchem	
Barron	Covington	Foshee	Parsons	
Bedford	deGraffenried	Holmes	Smith (J)	
Bishop	Dial	Little	Strong	—19

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 323. COMMENDING WILLIAMSON HIGH SCHOOL GIRLS BASKETBALL TEAM OF MOBILE, ALABAMA FOR WINNING THE ALABAMA 6-A BASKETBALL CHAMPIONSHIP.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF RESOLUTIONS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 207. Relating to the abandonment of the commission form of government by Class 6 municipalities; providing for a referendum on the question of adoption of a mayor-council form of government with five (5) single-member districts and a mayor to be elected at large, or in the alternative a council-manager form of government with five (5) single-member districts; establishing in the alternative said forms of government; providing for the establishment of boundaries of districts, salaries of mayor and council, and the call of election for the members of the council and for a mayor if a mayor-council form of government was adopted; providing for the term of office of the initial council, and for mayor if the mayor council form of government was adopted; providing the election laws to be applied; providing for reapportionment of council districts; providing for the preservation of other officers, their powers, duties, rights, privileges and emoluments, for the preservation of all property owned by the municipality, all contracts in force,

legal proceedings, and pension funds; and providing for the continuation of all subordinate agencies of the municipalities and all ordinances; and providing for an effective date of this act, and the severability of the provisions of this act.

JOHN W. PEMBERTON,  
Clerk.

### **SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 227. To name and designate the college resulting from the merger of Gadsden State Junior College, Gadsden State Technical Institute and Alabama Technical College as Gadsden State Community College.

Also:

H. 264. Relating to Washington County; amending Act No. 39, H. 185, 1965 Regular Session, (Acts 1965, p. 57), which provides for the compensation of the members of the board of registrars, so as to provide further for said compensation.

Also:

H. 278. Relating to Calhoun County; providing for an increase in salary for the part-time bailiffs of said county.

Also:

H. 357. Relating to Calhoun County; amending Section 9 of Act No. 154, H. 746, of the 1965 Regular Session, as amended by Act No. 631, H. 410, of the 1983 Regular Session, which created the office of commissioner of licenses in certain counties classified on a population basis, so as to provide further for fees collected for issuing motor vehicle license tags by mail.

Also:

H. 532. Relating to Walker County; to amend Act 83-428, Senate Bill 355, Regular Session, 1983 (Acts of Alabama, 1983, Volume 1, pages 607-608) so as to provide the Walker County Board of Education the authority to establish the salary of the Superintendent of Education of Walker County.

Also:

H. 618. Relating to Lowndes County; suspending the implementation of the provisions of Act No. 85-740, H. 900, 1985 Regular Session, as amended by Act No. 85-827, S. 150, 1985 2nd Special Session, until January 1, 1987.

Also:

H. 185. To create the County Government Capital Improvement Fund; to make certain annual appropriations to such fund from the General Fund of the State based upon the amounts of income from the investment of certain moneys derived by the State from the leasing of rights in and royalty payments from offshore oil, gas and other hydrocarbon minerals; to provide for the distribution of such appropriations among county governments; and to provide for the uses to which such moneys shall be put.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 413. Proposing an amendment to the Constitution of 1901, authorizing and enabling the governing body of the City of Jackson, Clarke County, Alabama, to declare the need for the formation of a public corporation to carry out the provisions of the act and to function as a port authority, and to cause same to be organized; providing for its powers and duties; repealing conflicting provisions of this Constitution, 1901.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

### REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 23. SUSTAINING THE SUSPENSION OF A DEPARTMENT OF REVENUE RULE DISAPPROVED BY THE JOINT COMMITTEE ON ADMINISTRATIVE REGULATION REVIEW.

On motion of Senator Teague, the Resolution was concurred in and adopted by the Senate.

**FURTHER CONSIDERATION OF H. B. 132**

The Senate proceeded to further consideration of the Bill, H. B. 132, as amended. The question was on the amendment offered by Senator Bishop.

On motion of Senator Parsons, further consideration of the Bill, H. B. 132, as amended, and pending amendment, was postponed subject to the call of the Chair.

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 142. To grant tax exemptions for the benefit of certain air carriers; to exempt from the tax levied by Article 6 of Chapter 3 of Title 28 of the Code of Alabama 1975 on the sale of spirituous or vinous liquors certain sales of spirituous or vinous liquors to a certificated or licensed air carrier with "a hub operation within this state," as herein defined; to amend Section 40-9-1, Code of Alabama 1975, by adding subdivision (24) to exempt from ad valorem tax all aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-12-223, Code of Alabama 1975, by adding subdivision (13) to exempt from rental tax the gross proceeds accruing from the leasing or rental of aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-14-41, Code of Alabama 1975, by adding subdivision (d)(2)(E) to provide for a deduction from the amount of capital employed in the state for purposes of computing the franchise tax applicable to foreign corporations the amount invested by the taxpayer in all real and personal property, equipment, facilities, structures and components thereof including all aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-17-31, Code of Alabama 1975, by adding subdivision (d)(4) to exempt from excise tax gasoline or other fuel used to propel aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-4, Code of Alabama 1975, by adding subdivision (40) to exempt from sales tax the gross receipts from the sale of aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-4 by adding subdivision (41) to exempt from sales tax the gross receipts from the sale of hot or cold food and beverage products sold to or by a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-62, Code of Alabama 1975, by adding subdivision (32) to exempt from use tax the storage, use or other consumption of any aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; and to further amend Section 40-23-62, Code of Alabama 1975, by adding subdivision (33) to exempt from use tax the storage, use or other consumption of hot or cold food and beverage products sold to or by a certificated or licensed air carrier with a hub operation within this state.

having been postponed subject to the call of the Chair on the Twentieth Legislative Day, was taken up.

On motion of Senator Parsons, further consideration of the Bill, S. B. 142, was postponed subject to the call of the Chair.

### BUDGET ISOLATION RESOLUTION

On motion of Senator Parsons, the Rules were suspended and the B. I. R., H. B. 271, was adopted.

Yeas 26; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Menton	
Aldridge	Denton	Hand	Parsons	
Amari	Dial	Hilliard	Sanders	
Barron	Dixon	Holmes	Smith (B)	
Bennett	Drinkard	Horn	Strong	
Bishop	Ellis	Langford	Teague	
Cabaniss	Foshee	Little		—26

*Nays:*

—0

### BILLS ON THIRD READING RESUMED

#### THE BILL:

H. 271. To grant tax exemptions for the benefit of certain air carriers; to exempt from the tax levied by Article 6 of Chapter 3 of Title 28 of the Code of Alabama 1975 on the sale of spirituous or vinous liquors certain sales of spirituous or vinous liquors to a certificated or licensed air carrier with "a hub operation within this state," as herein defined; to amend Section 40-9-1, Code of Alabama 1975, by adding subdivision (24) to exempt from ad valorem tax all aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-12-223, Code of Alabama 1975, by adding subdivision (13) to exempt from rental tax the gross proceeds accruing from the leasing or rental of aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-14-41, Code of Alabama 1975, by adding subdivision (d)(2)(E) to provide for a deduction from the amount of capital employed in the state for purposes of computing the franchise tax applicable to foreign corporations the amount invested by the taxpayer in all real and personal property, equipment, facilities, structures and components thereof including all aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-17-31, Code of Alabama 1975, by adding subdivision (d)(4) to exempt from excise tax gasoline or other fuel used to propel aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-4, Code of Alabama 1975, by adding subdivision (40) to exempt from sales tax the gross receipts from the sale of aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft

of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-4 by adding subdivision (41) to exempt from sales tax the gross receipts from the sale of hot or cold food and beverage products sold to or by a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-62, Code of Alabama 1975, by adding subdivision (32) to exempt from use tax the storage, use or other consumption of any aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; and to further amend Section 40-23-62, Code of Alabama 1975, by adding subdivision (33) to exempt from use tax the storage, use or other consumption of hot or cold food and beverage products sold to or by a certificated or licensed air carrier with a hub operation within this state.

was taken up.

### RESOLUTION

Senators Dial, Hand, Bedford, Cabaniss, and Ellis requested and received permission to suspend the Rules in order to bring up the following Senate Joint Resolution, to-wit:

S. J. R. 258. EXPRESSING SUPPORT OF OUR U. S. TROOPS' RETALIATION AGAINST AGGRESSIVE LIBYAN FORCES IN THE MEDITERRANEAN GULF OF SIDRA.

WHEREAS, the Legislature of Alabama expresses its wholehearted support of President Reagan and the Administration's retaliatory actions on March 24, 1986, against aggressive Libyan forces in the Mediterranean Gulf of Sidra; and

WHEREAS, the U. S. Navy was conducting exercises off Libya's Mediterranean coastline, outside the recognized 12-mile territorial limits yet within the "line of death," as arbitrarily set by Colonel Moammar Khadafy; and

WHEREAS, it was at this point that U. S. Jets became the targets of at least six Libyan missiles fired from a missile site at Sirte and from two guided-missile boats patrolling the Gulf; and

WHEREAS, in retaliation, and after verification that SA-5 long range missiles had been fired, American war planes successfully destroyed the Sirte missile site in Libya, and also sank both Libyan patrol boats; and

WHEREAS, the Alabama Legislature is united in its belief that American forces, while in international waters, should in no way be subjected to such unwarranted attacks of a crazed Khadafy, and we applaud both the decision to attack and the success of our American troops; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in support of our nation's attack actions against the aggression of Libya, we hereby most highly commend President Ronald Reagan, his Administration and our U. S. Troops in the Mediterranean, and direct that copies of this resolution be forwarded to Mr. Reagan and to Alabama's Congressional Delegation in Washington.

On motion of Senator Dial, the Rules were suspended and the Resolution was adopted by the Senate.

**FURTHER CONSIDERATION OF H. B. 271**

The Senate proceeded to further consideration of the Bill, H. B. 271.

**REPORT OF COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, and finds same correctly enrolled, to-wit:

S. 132. To further regulate and control alcoholic beverage transactions in wet counties and municipalities in Alabama under the control and supervision of the alcoholic beverage control board; to provide uniform definitions applicable to Chapter 3, Title 28, Code of Alabama 1975, and to the Alcoholic Beverage Licensing Code, being Act No. 80-529, Acts of Alabama 1980, as amended, appearing as Chapter 3A, Title 28, Code of Alabama 1975, as amended, and to the Alabama Table Wine Act, being Act 80-382, Acts of Alabama 1980, as amended, appearing as Chapter 7, Title 28, Code of Alabama 1975, as amended; and to repeal all laws or parts of laws in conflict herewith.

CHARLES BISHOP,  
Chairperson.

**SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing report from the Committee on Rules.

**RESOLUTION**

Senator Strong offered the following Senate Resolution, to-wit:

S. R. 259. COMMENDING LINDA SPINKS VICE FOR DISTINGUISHED SERVICE WITH THE RETIRED SENIOR VOLUNTEERS PROGRAM.

Which was filed.

**FURTHER CONSIDERATION OF H. B. 271**

The Senate proceeded to further consideration of the Bill, H. B. 271.

**RESOLUTIONS**

Senator Barron offered the following Senate Resolutions, to-wit:

S. R. 260. MOURNING THE DEATH OF LEE DAVENPORT.

Also:

S. R. 261. COMMENDING CHERYL LEE GORHAM, JACKSON COUNTY, ALABAMA.

Which were filed.



**FURTHER CONSIDERATION OF H. B. 271**

The Senate proceeded to further consideration of the Bill, H. B. 271.

And said Bill, H. B. 271, was read a third time at length and passed.

Yeas 28; Nays 0.

*Yeas:*

Senators:	Cooley	Drinkard	Little
Aldridge	Corbett	Ellis	Menton
Amari	Covington	Figures	Parsons
Bailey	deGraffenried	Hand	Sanders
Barron	Denton	Hilliard	Smith (B)
Bedsole	Dial	Holmes	Strong
Bishop	Dixon	Horn	Teague
Cabaniss			

—28

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 388. Proposing an amendment to the Constitution of Alabama 1901, providing that any local, general or special bill which impacts on the revenues of a particular county shall be voted on throughout the legislative process only by those members of the legislature who represent either all or a portion of the affected county.

having been postponed subject to the call of the Chair on the Twentieth Legislative Day, was taken up.

On motion of Senator Hand, further consideration of the Bill, S. B. 388, was postponed subject to the call of the Chair.

**FURTHER CONSIDERATION OF H. B. 132**

The Senate proceeded to further consideration of the Bill, H. B. 132, as amended. The question was on the amendment offered by Senator Bishop.

On motion of Senator Bishop, unanimous consent was granted to withdraw his amendment.

Senator Hilliard offered the following amendment to the Bill, H. B. 132, as amended, to-wit:

**AMENDMENT TO H. B. 132, AS AMENDED**

Amend House Bill No. 132, Page 3, Line 4, by striking out all of Section (A) on lines 4 and 5 and inserting thereof:

(A) Each incorporated municipality in the state with a population of less than 1000 shall receive \$1000; each incorporated municipality in the state with a population of 1000 or more shall receive \$2,500.

Which was adopted.

Yeas 26; Nays 3.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Aldridge	Corbett	Goodwin	Parsons	
Amari	Covington	Hand	Sanders	
Bailey	deGraffenried	Hilliard	Smith (J)	
Barron	Dial	Holmes	Strong	
Bedsole	Drinkard	Horn	Teague	
Cabaniss	Ellis	Little		—26

*Nays:*

Senators:	Bennett	Dixon	Smith (B)	—3
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And said Bill, H. B. 132, as amended, was read a third time at length and passed.

Yeas 27; Nays 2.

*Yeas:*

Senators:	Bishop	Ellis	Menton	
Aldridge	Cooley	Foshee	Parsons	
Amari	Corbett	Hand	Sanders	
Bailey	deGraffenried	Hilliard	Smith (B)	
Barron	Denton	Holmes	Smith (J)	
Bedsole	Dial	Horn	Strong	
Bennett	Drinkard	Little	Teague	—27

*Nays:*

Senators:	Cabaniss	Dixon		—2
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**BUDGET ISOLATION RESOLUTIONS**

Senator Sanders, B. I. R., H. B. 617, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Little	
Aldridge	Denton	Goodwin	Menton	
Barron	Dial	Hand	Parsons	
Bedford	Dixon	Holmes	Sanders	
Bedsole	Drinkard	Horn	Strong	
Bennett	Ellis	Langford	Teague	
Cabaniss	Figures			—25

*Nays:*

—0

Senator Bedsole, B. I. R., S. B. 501, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Menton	
Aldridge	Dial	Hand	Mitchem	
Barron	Dixon	Holmes	Parsons	
Bedsole	Drinkard	Horn	Sanders	
Bennett	Ellis	Langford	Strong	
Cabaniss	Figures	Little	Teague	
Cooley	Foshee			—25

*Nays:*

—0

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 262. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the twenty-first legislative day of the 1986 Regular Session only:

Inst Id		Page
S. 45	Sheriff who dies in office, spouse retirement benefits reg., Sec. 36-22-61 am'd.	74
S. 232	Parental Right to Notification of Minors and Mentally Incompetents Person's Abortion Act, notification, pen. prescribed.	15

Senator Cabaniss offered the following substitute for the Resolution, S. R. 262, to-wit:

SUBSTITUTE FOR S. R. 262

S. R. 262. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the twenty-first legislative day of the 1986 Regular Session only:

Inst Id		Page
S. 232	Parental Right to Notification of Minors and Mentally Incompetents Person's Abortion Act, notification, pen. prescribed.	15
S. 45	Sheriff who dies in office, spouse retirement benefits reg. Sec. 36-22-61 am'd.	74

On motion of Senator Bishop, said substitute was laid on the table.

Yeas 18; Nays 4.

Yeas:

Senators:	Cooley	Goodwin	Menton	
Aldridge	Corbett	Hilliard	Parsons	
Barron	deGraffenried	Horn	Sanders	
Bennett	Ellis	Langford	Teague	
Bishop	Foshee	Little		—18

Nays:

Senators:	Cabaniss	Dial	Hand	
Bedsole				—4

And on motion of Senator Bishop, said Resolution was then adopted by the Senate.

**SPECIAL ORDER****BILLS ON THIRD READING RESUMED**

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

S. 45. To amend section 36-22-61 Code of Alabama 1975, to provide the same benefits to the spouse of a Sheriff who dies in office as are currently provided for the spouse of a Supernumerary Sheriff, so long as such deceased Sheriff was eligible for Supernumerary status immediately preceding his death.

**MOTION TO ADJOURN LOST**

At 4:10 P.M., Senator deGraffenried moved that the Senate adjourn until Thursday, March 27, 1986, at 11 o'clock A.M., which motion was lost.

**FURTHER CONSIDERATION OF S. B. 45**

The Senate proceeded to further consideration of the Bill, S. B. 45.

**REPORT OF SECRETARY**

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bill delivered to the Governor, with the date and hour of delivery, to-wit:

S. B. 132

Delivered to the Governor, March 25, 1986, at 4 o'clock P. M.

McDOWELL LEE,  
Secretary of Senate.

**SECRETARY'S REPORT**

The foregoing report of the Secretary was read and ordered spread upon the Journal.

**ADJOURNMENT**

At 4:15 P.M., on motion of Senator deGraffenried, pending further consideration of the Bill, S. B. 45, the Senate adjourned until Thursday, March 27, 1986, at 10:59 A.M.

## **TWENTY-THIRD LEGISLATIVE DAY**

**THURSDAY, MARCH 27, 1986**

(The Senate was not in session on the Twenty-Second Legislative Day.)

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

### **PRAYER**

The Session was opened with prayer by the Reverend Charles Griffith, Pastor, First Baptist Church, Citronelle, Alabama.

### **PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Allison Inscoe, Montgomery Academy, Montgomery, Alabama.

### **ROLL CALL**

Present:

Senators:	Cabaniss	Ellis	Little
Aldridge	Cooley	Figures	Menton
Amari	Corbett	Foshee	Mitchem
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hand	Sanders
Bedford	Denton	Hilliard	Smith (B)
Bedsole	Dial	Holmes	Smith (J)
Bennett	Dixon	Horn	Strong
Bishop	Drinkard	Langford	Teague

—35

### **JOURNAL**

On motion of Senator Foshee, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

### **REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-First Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

### **COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Twenty-First Legislative Day was approved by the Senate.

## INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Mitchem:

S. 630. To permit the Alabama Housing Finance Authority to relinquish portions of the State tax-exempt, non-essential function bond volume cap to which it is entitled in calendar year 1986 under a certain proposed federal law.

Committee on Finance and Taxation.

By Senator Mitchem:

S. 631. To amend Section 24-1A-9, Code of Alabama 1975, relating to the limitation on issuance of bonds by the Alabama Housing Finance Authority.

Committee on Finance and Taxation.

By Senator Horn (With Notice and Proof):

S. 632. To levy in and for Jefferson County, Alabama, a privilege or license tax, in an amount prescribed in said act, on each person engaging, or continuing, within the county in the business of leasing or renting any tangible personal property, subject to the exceptions contained in said act.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 632, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Horn (With Notice and Proof):

S. 633. Relating to Jefferson County; to establish the function of county government in Jefferson County; to prescribe the election of districts, compensation, duties and authorities, term of office, election of officers, and residency requirements of said county commissioners.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 633, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Horn (With Notice and Proof):

S. 634. Relating to Jefferson County; levying an additional ad valorem tax in the county to be used for general county purposes and providing for a referendum on such additional county taxes.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 634, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Horn (With Notice and Proof):

S. 635. Relating to Jefferson County; levying an additional ad valorem tax in the county to be used for general county purposes and providing for a referendum on such additional county taxes.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 635, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Horn (With Notice and Proof):

S. 636. Relating to the City of Birmingham, Jefferson County, Alabama; providing for the election of the members of the city board of education from single-member districts.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 636, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Sanders (With Notice and Proof):

S. 637. Relating to Greene County, authorizing the county commission to expend funds for day care centers.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 637, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Sanders (With Notice and Proof):

S. 638. Relating to Greene County; providing certain additional compensation for the members of the board of registrars to be paid from the county general fund.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 638, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senators Bailey, Parsons, Sanders, Corbett, Hand, Langford, and Bedsole:

S. 639. Relating to interest charged by banks on credit cards; prohibiting interest rates any higher than the lowest amount charged by any bank in the United States.

Committee on Consumer Affairs.

By Senator Foshee:

S. 640. To establish the state salary payable to the circuit court clerks and circuit court registers at an amount equal to \$3,000.00 less than the state salary payable to the district attorneys; to provide that the salary increases provided by this Act shall be implemented in two steps over the next two fiscal years; to provide an appropriation to the Unified Judicial System for the fiscal year beginning October 1, 1986; and to provide an effective date.

Committee on Buildings and Grounds.

By Senators Bedford and Bishop:

S. 641. Relating to the 24th judicial circuit, so as to provide that the presiding judge shall receive a monthly expense allowance from the district attorney's fund in the county in which he has his principal office.

Committee on Finance and Taxation.

By Senators Bedford and Bishop:

S. 642. To reopen the employees' retirement system for circuit court clerical employees to purchase retirement credit for any prior period of employment of five years or more in the office of a district attorney; and to provide for the purchase of said credit at the rate of five percent of the total salary for such period of time.

Committee on Finance and Taxation.

By Senator Bedford (With Notice and Proof):

S. 643. Relating to Franklin County; providing further for the distribution of all funds accruing to Franklin County or any municipality therein from the oil and gas privilege tax pursuant to Sections 40-20-1 through 40-20-13, Code of Alabama 1975.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 643, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Bedford (With Notice and Proof):

S. 644. To alter and rearrange the boundaries of the Town of Vina in Franklin County, so as to include certain territory into the corporate limits of the town.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 644, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Teague:

S. 645. To permit certain appointees to educational commissions or educational advisory boards to serve past the age of seventy years under certain circumstances; and to provide that the provisions are cumulative.

Committee on Buildings and Grounds.



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By Senator Teague:

S. 646. To adopt Part 107, Subpart B and Parts 171-179 of Title 49, Code of Federal Regulations of the Hazardous Material Regulations of the U. S. Department of Transportation.

Committee on Commerce,  
Transportation, and Utilities.

By Senator Bedford (With Notice and Proof):

S. 647. Relating to Fayette County; to create a license-issuing division within the Probate Judge's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; such fees shall be set by the County Commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of licenses by the Probate Judge's office; and to transfer certain duties now performed by the Tax Assessor and Tax Collector to said probate office; also to provide for a special recording and indexing fee on documents filed in the office of the Judge of Probate; and to prescribe the use thereof. County Commission to set fee.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 647, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Bedford (With Notice and Proof):

S. 648. Relating to Franklin County; to establish benefits and a policy for on-the-job injuries for educational personnel and to provide for retroactive effect.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 648, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Bedford (With Notice and Proof):

S. 649. Relating to Franklin County; providing that it shall be unlawful for one or more persons to willfully throw or cast headlights or any rays of artificial light from any motor vehicle in a certain manner and under certain conditions; to provide for certain exceptions and to prescribe penalty for violation.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 649, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

### BUDGET ISOLATION RESOLUTION

Senator Bailey, B. I. R., S. B. 232, adopted.

Yeas 24; Nays 0.

Yeas:

Senators:	Corbett	Hand	Menton	
Aldridge	Covington	Hilliard	Parsons	
Bailey	Denton	Holmes	Sanders	
Barron	Dial	Horn	Smith (B)	
Bennett	Dixon	Langford	Smith (J)	
Bishop	Foshee	Little	Strong	
Cabaniss				—24

Nays:

—0

### RECESS

At 11:55 A.M., Senator Dixon moved that the Senate take a recess for the purpose of the Joint Session to hear the message of Dr. Albert B. Sabin, and further moved that at the completion of the Joint Session, the Senate recess subject to the call of the Chair, which motion was adopted.

### JOINT SESSION

At 12 o'clock Noon, in accordance with S. J. R. 3, the Senate repaired to the Hall of the House of Representatives for the purpose of hearing the message of the Honorable Dr. Albert Sabin.

The Session was called to order by Lieutenant Governor Baxley, President and Presiding Officer of the Senate. A quorum of the Legislature was present.

Thereupon, Dr. Sabin was escorted to the Chair and delivered his message to the Legislature of Alabama.

The recess period having expired at 1:40 P.M., the Senate was called to order by Lieutenant Governor Baxley. A quorum of the Senate was present.

### REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, with amendment, to-wit:

H. J. R. 290. RELATING TO MEETING DAYS.

The Standing Committee on Rules then reported the following amendment to the Resolution, H. J. R. 290, to-wit:

### AMENDMENT TO H. J. R. 290

I move to amend H. J. R. 290, Page 1, Line 13, by striking out lines 13, 14, and 15 and inserting in lieu thereof the following: , effective upon final

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adoption of this resolution, until final passage of the state general fund and education budgets.

Senator Dixon moved that said amendment be laid on the table, which motion was lost.

Yeas 7; Nays 22.

*Yeas:*

Senators:	Cabaniss	Ellis	Little	
Amari	Dixon	Holmes	Smith (B)	—7

*Nays:*

Senators:	Bishop	Figures	Parsons	
Aldridge	Cooley	Foshee	Sanders	
Bailey	Corbett	Goodwin	Smith (J)	
Barron	Covington	Hand	Strong	
Bedford	deGraffenried	Horn	Teague	
Bennett	Denton	Langford		—22

And said amendment was then adopted.

And on motion of Senator Bishop, the Resolution, H. J. R. 290, as amended, was then concurred in and adopted by the Senate.

**RESOLUTION**

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 263. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the twenty-third legislative day of the 1986 Regular Session only:

Inst Id		Page
S. 232	Parental Right to Notification of Minors and Mentally Incompetents Person's Abortion Act, notification, pen. prescribed.	14

On motion of Senator Bishop, the Resolution was adopted by the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 23. SUSTAINING THE SUSPENSION OF A DEPARTMENT OF REVENUE RULE DISAPPROVED BY THE JOINT COMMITTEE ON ADMINISTRATIVE REGULATION REVIEW.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF RESOLUTIONS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of

a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 271. To grant tax exemptions for the benefit of certain air carriers; to exempt from the tax levied by Article 6 of Chapter 3 of Title 28 of the Code of Alabama 1975 on the sale of spirituous or vinous liquors certain sales of spirituous or vinous liquors to a certificated or licensed air carrier with "a hub operation within this state," as herein defined; to amend Section 40-9-1, Code of Alabama 1975, by adding subdivision (24) to exempt from ad valorem tax all aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-12-223, Code of Alabama 1975, by adding subdivision (13) to exempt from rental tax the gross proceeds accruing from the leasing or rental of aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-14-41, Code of Alabama 1975, by adding subdivision (d)(2)(E) to provide for a deduction from the amount of capital employed in the state for purposes of computing the franchise tax applicable to foreign corporations the amount invested by the taxpayer in all real and personal property, equipment, facilities, structures and components thereof including all aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-17-31, Code of Alabama 1975, by adding subdivision (d)(4) to exempt from excise tax gasoline or other fuel used to propel aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-4, Code of Alabama 1975, by adding subdivision (40) to exempt from sales tax the gross receipts from the sale of aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-4 by adding subdivision (41) to exempt from sales tax the gross receipts from the sale of hot or cold food and beverage products sold to or by a certificated or licensed air carrier with a hub operation within this state; to amend Section 40-23-62, Code of Alabama 1975, by adding subdivision (32) to exempt from use tax the storage, use or other consumption of any aircraft, replacement parts, components, systems, supplies, sundries affixed or used on aircraft and ground support equipment and vehicles used by or for aircraft of a certificated or licensed air carrier with a hub operation within this state; and to further amend Section 40-23-62, Code of Alabama 1975, by adding subdivision (33) to exempt from use tax the storage, use or other consumption of hot or cold food and beverage products sold to or by a certificated or licensed air carrier with a hub operation within this state.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Clark (J), Sasser, White (L), Flowers, Preuitt, Reed, Kvalheim, Gaston, Zoghby, McNair, Rice, Hooper, Smith, Harvey, Coleman, Newman, Carothers, Pratt, Johnson (RG), Burke, Hall, and Hettinger:

H. 213. Relating to "The Alabama Medical Liability Act of 1986" to state the legislative intent; to define the terms health care provider, professional negligence, future damages and periodic payment; to provide that in any action for injury or damages whether in contract or in tort against a health care provider based on professional negligence the Circuit Court shall at the request of either party enter a judgment ordering that money damages be paid in whole or in part by periodic payments rather than by lump sum if the award equals or exceeds one-hundred thousand dollars (\$100,000.00) in future damages and to require that a judgment debtor who is not adequately insured post security adequate to assure the full payment of such damages and to provide that the judgment shall specify the recipient or recipients of the payments, the dollar amounts of the payments, the interval between payments, and the number of payments for the period of time over which payments shall be made and to provide that a judgment debtor exhibiting a continuing pattern of failure to make payments shall be found in contempt of court and shall be ordered to pay all damages caused by failure to make periodic payments, including court costs and attorneys fees and to provide that if the judgment creditor dies prior to the termination of the period of years specified in the judgment that the liability of the judgment debtor shall cease except that damages awarded for loss of future earnings shall not be terminated but shall be paid to persons to whom the judgment creditor owed a duty of support and to provide that upon the petition of any party in interest the Court may modify the judgment to award and apportion unpaid future damages in accordance with this section and to state the legislative intent in providing for periodic payment of judgments; to provide in any action for injury or damages whether in contract or in tort against a health care provider based on professional negligence that the plaintiff shall be entitled to recover non-economic losses to compensate for pain, suffering and inconvenience, physical impairment, disfigurement, loss of consortium and other non-pecuniary damages and that the amount of such damages shall not exceed two-hundred fifty-thousand dollars (\$250,000.00); and to provide that in any action for injury or damages whether in contract or in tort against a health care provider based on professional negligence the defendant may introduce evidence of any amount payable as the benefit to the plaintiff as a result of the personal injury pursuant to the United States Social Security Act, any state or federal income disability or workers compensation act, any health insurance, sickness or income disability insurance, accident insurance that provides health benefits or income disability

coverage and any contract or agreement of any group, organization, partnership or corporation, to provide, pay for or reimburse the cost of medical, hospital, dental or other health care services and to provide that the plaintiff may introduce evidence of any amount which the plaintiff has paid or contributed to secure his right to such benefits and to provide that no source of collateral benefits introduced under this sub-section shall recover any amount against the plaintiff nor shall it be subrogated to the rights of the plaintiff against the defendant and to provide that all policies of insurance providing benefits described in this section shall be construed in accordance with this section after the effective date of this act; to provide that in any action for injury or damages whether in contract or in tort against a health care provider based on professional negligence the action must be brought in the county where the negligent act or omission actually occurred or wherein the plaintiff resided at the time of the negligent act or omission and to provide that the court may transfer any action to any county where it might have been brought for the convenience of the parties and witnesses; to provide that any action for injury or damages whether in contract or in tort against a health care provider based on professional negligence commenced pursuant to §6-5-391 or §6-5-410 of this Code the amount of damages awarded to the plaintiff shall not exceed the sum of one million dollars (\$1,000,000.00); to provide that in any action for injury or damages whether in contract or in tort against a health care provider based on professional negligence the claimant shall have the burden of proving by a preponderance of the evidence that the actions of the health care provider breached the accepted standard of care and to provide that the standard of care shall be that which is recognized by a reasonably prudent similar health care provider as being acceptable under similar conditions and circumstances; to provide further that in an action against a health care provider not certified by the appropriate American Board as being a specialist, not trained or experienced in a medical specialty or not holding himself out as a specialist a "similar health care provider" shall be licensed by the appropriate regulatory agency or board of this state, be trained and experienced in the same discipline or school of practice and practice in the same or similar medical community; to provide further that in actions against a health care provider certified by the appropriate American Board as a specialist, trained and experienced in a medical specialty or holding himself out as a specialist, a "similar health care provider" shall be licensed by the appropriate regulatory agency or board of this or some other state, be certified by the appropriate American Board in the same specialty, and have practiced in the specialty during the year preceding the date that the alleged professional negligence occurred; to provide that evidence may not be received or admitted concerning the medical liability insurance of a witness testifying as a "similar health care provider"; to further provide that any health care provider may testify as an expert in any action if he is a "similar health care provider" pursuant to this section; to provide that in any action for injury or damages whether in contract or in tort against a health care provider based on professional negligence the standard of proof required to test the sufficiency of the evidence to support any issue of fact shall be proof by substantial evidence, to abolish the Scintilla Rule of evidence in such cases, to provide that in ruling on pleadings and motions testing the sufficiency of the evidence the standard of proof shall be proof by substantial evidence; to provide that an attorney shall not contract for or collect a contingency fee for representing any person seeking damages in connection with an action for injury or damage against a health care provider based upon professional negligence in excess of specified limits and to provide that the limitations shall apply regardless of whether recovery is by settlement, arbitration or judgment or whether the person for whom the recovery is

made is a responsible adult, an infant or a person of unsound mind and to provide that if periodic payments are made to the plaintiff the Court shall place a total value of such payments based upon the projected life expectancy of the plaintiff and shall include this amount in computing the total award from which attorney's fees are calculated under this section and to provide for the definition of the term "recovered"; to establish a cause of action for malicious prosecution and to set forth the elements thereof; to provide that this Act shall apply to all actions against health care providers based on professional negligence accruing after its effective date and as to such causes of action shall supersede any inconsistent provisions of law.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 213—to the Committee on Judiciary

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Clark (J), Hooper, Sasser, White (L), Flowers, Reed, Kvalheim, Gaston, Zoghby, McNair, Rice, Smith, Harvey, Coleman, Newman, Carothers, Pratt, Johnson (RG), Preuitt, Burke, Hall, and Hettinger:

H. 217. To provide that in all civil actions in the courts of the State of Alabama, the sufficiency of any claim or defense shall be tested by a minimum standard of proof of substantial evidence; to provide that substantial evidence shall be minimum standard of proof to determine whether an issue of fact shall be submitted to a jury; to provide that substantial evidence shall be the minimum standard of proof for other rulings of the Court, including without limitation, motions for summary judgment, motions for directed verdict, motions judgment notwithstanding the verdict, and other such motions or pleadings involving the sufficiency of the evidence; to provide for the abolition of the scintilla rule; to provide for standards of proof higher than substantial evidence when required by statute, or rule or decision of the courts of the State; to provide for the repeal of inconsistent laws or parts of laws; to provide for the severability of this Act; and to provide the manner in which this bill becomes law.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 217—to the Committee on Judiciary

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Clark (J), Rice, Sasser, White (L), Flowers, Reed, Kvalheim, Gaston, Zoghby, McNair, Hooper, Smith, Harvey, Coleman, Carothers, Pratt, Johnson (RG), Preuitt, Burke, Hall, and Hettinger:

H. 214. To amend Section 6-3-7, Code of Alabama, to provide that actions against foreign corporations for personal injuries must be commenced in the county where the injury occurred or in the county where the plaintiff resides if such corporation does business by agent in the county of plaintiff's residence; to provide for the repeal of inconsistent laws or parts of laws; to provide for the severability of this Act; and to provide the manner in which this bill becomes law.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 214—to the Committee on Judiciary

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Clark (J), Sasser, White (L), Flowers, Reed, Kvalheim, Gaston, Zoghby, McNair, Hooper, Rice, Smith, Harvey, Coleman, Newman, Carothers, Pratt, Johnson (RG), Preuitt, Burke, Hall, and Hettinger:

H. 218. To provide that in all civil actions, except civil actions for wrongful death pursuant to Sections 6-5-391 and 6-5-410, Code of Alabama, punitive damages as defined within this Act must be proved beyond a reasonable doubt, shall be set by the judge not to exceed the amount of any damages assessed against the defendant other than punitive damages or \$100,000.00 whichever is less after determination of the liability for such by the jury or other trier of fact; to provide for the repeal of inconsistent laws or parts of laws; to provide for the severability of this Act; and to provide the manner in which this bill becomes law.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 218—to the Committee on Judiciary



**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Clark (J), Sasser, White (L), Hall, Hettinger, Flowers, Reed, Kvalheim, Gaston, Zoghby, McNair, Hooper, Smith, Rice, Harvey, Coleman, Newman, Carothers, Pratt, Johnson (RG), Preuitt, and Burke:

H. 216. To provide that any court of general jurisdiction shall, for the convenience of parties and witnesses, or in the interest of justice, transfer a civil action to any other court of general jurisdiction in Alabama in which the civil action might properly have been filed; to provide that any such transferred action shall proceed as though it had been originally filed in the second court; to provide that the right to move for a transfer of venue pursuant to this Act is cumulative and in addition to the rights of a defendant under Alabama Code (1975) Section 6-3-20, Section 6-3-21 or Alabama Rules of Civil Procedure Rule 82(d); to provide for the repeal of inconsistent laws or parts of laws; to provide for the severability of this Act; to provide the civil actions to which this bill would apply; and to provide the manner in which this bill becomes law.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 216—to the Committee on Judiciary

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Clark (J), Sasser, White (L), Flowers, Reed, Preuitt, Kvalheim, Gaston, Zoghby, McNair, Hooper, Rice, Smith, Harvey, Coleman, Newman, Carothers, Pratt, Johnson (RG), Burke, Hall, and Hettinger:

H. 219. Proposing an amendment to Article XII, Section 232, Constitution of Alabama relating to suits against foreign corporations and providing that the Legislature of the State of Alabama shall have the authority to provide in which county suit against such corporations shall be brought and maintained.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 219—to the Committee on Constitutional Revision

(The above Bill was read a first time at length as required by the Constitution.)

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Box, Buskey (James), and Turner (With Notice and Proof):

H. 183. Relating to Mobile County; to provide that certain funds in the county treasury shall be expended equally among the county commission districts, effective October 1, 1986, and thereafter.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 183, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 183—to the Committee on Local Legislation No. 3

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Warren (With Notice and Proof):

H. 691. Relating to Conecuh County; to provide for a special recording fee on documents filed in the office of the judge of probate; and to prescribe the use thereof.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 691, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Onderdonk (With Notice and Proof):

H. 698. Relating to Washington County; providing a certain increase in compensation for the supernumerary tax collector in said county.

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I hereby certify that the Notice & Proof is attached to the Bill, H. B. 698, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

*JOHN W. PEMBERTON,*  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 691 and 698—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Gaston, Harper, Box, Zoghby, Turner, Marietta, Clark (W), Kennedy, and Kvalheim (With Notice and Proof):

H. 296. Relating to Mobile County; providing for an annual appropriation commencing for the fiscal year beginning October 1, 1985, in addition to any and all other appropriations, to the Toy Bowl Association, from funds received by the county for the City of Mobile, from the additional state sales tax levied on alcoholic beverages by Sections 28-3-280 and 28-3-281, Code of Alabama 1975.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 296, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Kvalheim, Gaston, Harper, Marietta, Clark (W), Kennedy, Box, Zoghby, and Turner (With Notice and Proof):

H. 341. To amend the title and Section 2 of Act No. 85-694, H. 954, Regular Session of 1985, approved May 29, 1985, entitled, "An Act To amend Act No. 81-446, H. 679, 1981 Regular Session, entitled, 'An Act Relating to Mobile County; to provide further for the compensation of election employees and officers,'" so as to provide for retroactive effect.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 341, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Marietta, Gaston, Zoghby, Box, Harper, Buskey (James), Kvalheim, Kennedy, Clark (W), and Turner (With Notice and Proof):

H. 374. To provide a supplement to the salary of the district attorney in the Thirteenth Judicial Circuit; and further providing that this act shall have retroactive effect.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 374, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Box, Harper, Clark (W), and Kennedy (With Notice and Proof):

H. 398. Relating to Mobile County; to exempt certain property owned by qualified parading Mardi Gras societies from all county, local and municipal ad valorem taxes; and to provide an effective date.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 398, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Harper (With Notice and Proof):

H. 427. To require the Mobile Board of School Commissioners of Mobile County to make available on or before the first day of the school year the full appropriation for instructional supplies as set for in the Education Budget for the fiscal year of the year school begins and to require certain timelines to be followed in securing said instructional supplies for the classroom following orders submitted by the individual teacher.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 427, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 296, 341, 374, 398, and 427—to the Committee on Local Legislation No. 3

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Clark (J) (With Notice and Proof):

H. 741. Relating to Barbour County, providing for the election of the County Board of Education; adopting single-member districts and repealing all conflicting laws.

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I hereby certify that the Notice & Proof is attached to the Bill, H. B. 741, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Venable (With Notice and Proof):

H. 775. Relating to Coosa County; to provide further for the composition of the county commission; to provide that the judge of probate of Coosa County shall serve as a voting chairman on said commission; to provide for the election of the five associate commission members from single member districts within Coosa County; to provide for the terms of said commissioners; to provide that the associate members must reside within the boundaries of their district; to prescribe the salaries and duties of the associate commissioners; to prescribe the boundaries of certain districts; to empower the Coosa County Commission to determine the boundary line of certain commission districts; to empower said county commission to reapportion itself at certain times; to provide for the filling of vacancies in the office of associate commissioner; to provide for the employment of a county administrator and to prescribe the duties of the county administrator; to provide for the employment of a county engineer, and to prescribe the duties and responsibilities of such county engineer; to provide for the operation of a road and bridge department on the basis of the county as a unit, without regard to any district or beat lines and to provide that this act shall be null and void on the first Monday after the second Tuesday in January 1991.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 775, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B. 's 741 and 775—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper (With Notice and Proof):

H. 478. To amend Sections 1, 2, 6, 8, 9, 10, 11, 13, 14, 16, 23, 24, 28 and 29 of Act No. 243, H. 278, of the First Special Session of 1964 (Acts 1964, p. 326) as amended, which provides for the establishment and operation of pension and relief system for policemen and firemen of the City of Mobile, Alabama, so as to provide for: the qualifications for membership in such

system; a financial consultant for such system; the composition, powers and duties of the board of directors of such system; a full-time secretary for such system; prohibiting the garnishment of pension funds; eligibility and participation; procedures for reimbursement from the city for certain pensions relating to work related disabilities; computing certain pensions; allowances to surviving spouses; the transition of duties and responsibilities between the City of Mobile and the Board; the procedure on appeal from a decision of the Board; certain options in electing benefits under such system; cost-of-living increases in pensions under such system and to specifically repeal Sections 15 relating to certain retirement procedures, and 22 relating to the option of non-membership of said act.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 478, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Campbell (With Notice and Proof):

H. 689. Relating to Calhoun County, amending Act No. 84-403, H. 819, 1984 Regular Session, which levies an additional sales tax in the county, so as to provide further for the distribution of the proceeds of said tax and providing for a retroactive effect.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 689, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B. 478—to the Committee on Local Legislation No. 3

H. B. 689—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Rep. Warren (With Notice and Proof):

H. 771. Relating to Conecuh County; providing for the election of the County Board of Education; providing for the division of Conecuh County into five single-member County School Board Districts; providing for the term of office; and repealing all conflicting laws and to specifically repeal Act 384 of the 1953 Regular Session and Act 84-641 of the 1984 Regular Session.

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I hereby certify that this Notice & Proof is attached to the Bill, H. B. 771, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 771—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Reps. Smith and Grouby (With Notice and Proof):

H. 687. Relating to Chilton County; to create a license-issuing division within the tax collector's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail, such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes, the issuance of licenses by the tax collector's office; and to transfer certain duties now performed by the tax assessor and probate judge to said office.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 687, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 687—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Reps. Fuller and Laird (With Notice and Proof):

H. 692. Relating to Chambers County; to authorize Chambers County to grant county ad valorem taxes exemptions, including real estate, equipment and supplies for up to five years to any manufacturing firm or facility; to provide that the tax exemption herein shall not affect taxes other than county ad valorem taxes; to provide for the county tax assessor to develop the necessary criteria to issue said exemptions subject to the approval of the Chambers County Commission; and to provide for the procedures to be followed in the granting of such exemptions.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 692, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 692—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Reps. Coburn and Goodwin (With Notice and Proof):

H. 688. Relating to Colbert County; providing for the county governing body to reimburse the office of probate judge for any monetary loss resulting from the performance of official duties for errors of mistakes made in good faith, not to exceed a certain maximum per annum; and providing such funds shall be payable from the general fund of the county.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 688, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 688—to the Committee on Local Legislation No. 1



**REPORTS OF COMMITTEES**

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Teague:

S. 581. To provide for the regulation and licensing of certain brokers and/or solicitors for residential mortgage loans through the state banking department; to exempt certain persons from such regulations; to prescribe such licensing regulations; to prescribe procedures relative to cease and desist orders by said department and denial, suspension and revocation of such licenses; to prescribe certain appellate procedures; to prescribe the powers of said department relative to the administration of this act; to prescribe certain licensing and brokerage fees; to prescribe remedies for enforcement of this act; to prescribe certain requirements and prohibitions relative to persons engaging in the residential mortgage loan business and to prescribe penalty for violations of this act.

By Senators Hand and Denton:

S. 497. To authorize counties of this state to establish and provide fire protection districts within each county; to enter into agreements with organized fire departments within each county for fire protection and services; to set fees for fire protection services within each county; and to prescribe the manner of collection and distribution of such fees.

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Amari (With Amendment):

S. 592. To prohibit any municipality, either directly or indirectly, or through its authorities, boards, commissions, or other divisions, to loan or obligate its public funds, or otherwise participate in a private development project, except those projects approved through legally constituted Downtown Restoration and/or Revitalization Authorities, and in those instances such public funds must be limited to no more than ten percent (10%) of the total cost of the private development project.

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senators Cabaniss, Hand, and Bedsole:

S. 393. To amend sections 17-10-4, 17-10-5, and 17-10-11 of the Code of Alabama 1975 relating to absentee voting, so as to provide further for such voting and to prescribe penalties for certain absentee voting violations.

Senator Parsons, Chairperson of the Standing Committee on Education, reported that said committee, in session, had acted on the following bills

and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Holmes:

S. 626. To provide for a period of voluntary silent meditation or voluntary silent prayer in public schools.

By Reps. Penry and McMillan:

H. 473. To provide the State Department of Education the authority to enter into contracts for periods not greater than three years for the storage and distribution of the United States Department of Agriculture commodities.

Senator Aldridge, Chairperson of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Foshee:

S. 618. To provide for health maintenance organizations (HMO's); to provide definitions; to provide for a procedure for the issuance, renewal, suspension, fees and application for certificate of authority for HMO's; to provide for a governing body for HMO enrollees and for its fiduciary duties; to provide for the licensing of agents of HMO's; to provide for the powers, duties and responsibilities of HMO's; to provide for the administration and regulation of HMO's by the insurance commissioner and state health officer and to grant rule making powers for implementation; to provide for the taxation of HMO's on the same basis as life and health insurers; and to provide for enforcement for the provisions of this act and to provide penalties for violation.

Senator Aldridge, Chairperson of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Aldridge (With Substitute):

S. 537. To amend Section 34-30-1, Code of Alabama 1975, relating to the definition of "Social Work Practice" to accurately indicate the services performed through the application of social work values, methods and techniques.

Senator Aldridge, Chairperson of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senators Strong and Bedsole:

S. 553. To provide for the state to supply the milk substitute formula Lofenalac to all children who have the disorder Phenylketonuria; and to authorize certain expenditures to carry out the purposes of this act.

Senator Denton, Chairperson of the Standing Committee on Commerce, Transportation, and Utilities, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with

a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Ellis:

S. 480. To prohibit the towing of vehicles on public roads and highways except by means of a wrecker, a flatbed truck, or a tractor trailer truck, and to provide criminal penalties.

By Senator Ellis:

S. 481. To provide for different classes of wreckers and to provide for the license plates to be displayed on said wreckers.

By Senators Dial, Bedford, and Smith (J):

S. 505. To amend Sections 32-6-271, 32-6-272 and 32-6-274, Code of Alabama 1975, which provide for distinctive license plates for fire fighters, so as to provide further for said license plates.

By Senator Bedsole:

S. 578. To amend Section 33-4-48, Code of Alabama 1975, which provides for bar pilot fees, so as to provide further for said fees.

Senator Figures, Chairperson of the Standing Committee on Consumer Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Rep. Blake (With Substitute):

H. 20. To provide a statutory remedy to the purchaser of a motor vehicle, or successors in interest, against the manufacturer thereof, requiring the replacement of the motor vehicle or the refund of its purchase price, by the manufacturer, where the motor vehicle fails to conform to the manufacturer's warranties thereon in a substantial way and the manufacturer fails to remedy such non-conformity.

Senator Figures, Chairperson of the Standing Committee on Consumer Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Ellis:

S. 11. To amend Section 8-20-8 of the Code of Alabama 1975, relating to "The Motor Vehicle Franchise Act" so as to prohibit unfair and deceptive trade practices as to new motor vehicles.

By Senator Foshee:

S. 165. To amend Section 30-1-7, Code of Alabama 1975, which provides for persons authorized to solemnize marriages, so as to include former judges of probate.

By Senators Strong, Bedsole, deGraffenried, Denton, and Teague:

S. 337. To create and establish a state art bank through which the state purchases artworks by the state's artists to rent or loan for public

display; to provide for control by the council on the arts and humanities; and to make an appropriation.

By Senators Little, Bedsole, and Strong:

S. 355. To provide for the regulation of consignment transactions between any artist and art dealer; to prescribe strict liability for certain losses and damages.

By Senator Parsons:

S. 402. Relating to consumer affairs, so as to require that information provided by certain insurance companies regarding contractual agreements are accurate, to provide for enforcement of such provisions and to provide certain remedies.

Senator Foshee, Chairperson of the Standing Committee on Buildings and Grounds, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Cooley:

S. 568. To provide for the conservation of the natural resources of the State; designating the caves and caverns of the State and the flora, fauna, mineral deposits and formations therein as worthy of preservation, protection and development for scenic, scientific, recreational, business and commercial purposes; protecting the rights of property owners and the general public in caves; to provide for liability for certain acts, to prohibit vandalism and pollution; to designate certain acts relative to caves and their contents as criminal offenses and to prescribe penalties therefor.

Senator Foshee, Chairperson of the Standing Committee on Buildings and Grounds, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Bedford (With Substitute):

S. 594. To amend Sections 34-3-16 and 34-3-30, Code of Alabama 1975, as they relate to the election of Alabama Bar Commissioners.

Senator Foshee, Chairperson of the Standing Committee on Buildings and Grounds, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Aldridge:

S. 625. To amend Section 17-4-153, Code of Alabama 1975, relating to expense allowances for registrars, so as to provide for an increase.

Senator Holmes, Chairperson of the Standing Committee on Small Business, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Hilliard:

S. 520. To make certain findings respecting the need to grant to certain municipalities in the State of Alabama the power to provide certain types

of assistance to new and expanding businesses seeking to finance the costs of capital improvements due to recent curtailments in the assistance provided to such businesses by the federal government and to propose a self-executing amendment to the Constitution of Alabama of 1901 which will permit municipalities in the State of Alabama with more than 100,000 residents according to the 1980 federal decennial census and certain related entities to guarantee or insure the payment of the principal of and the interest on certain types of revenue obligations, provide for the establishment of special trust funds from which moneys can be disbursed to discharge such obligations, specify certain conditions which must be satisfied before any such obligations can be incurred and provide for the establishment of special advisory committees to assist the governing bodies of such municipalities in determining whether or not to approve the undertaking of any such obligations.

The above Bill was read a second time at length as required by the Constitution.

Senator Holmes, Chairperson of the Standing Committee on Small Business, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Reps. Laird and Fuller (With Amendments):

H. 335. To permit small businesses and individuals to recover the costs of defending against a state agency when they prevail in court upon appeal.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Barron (With Notice and Proof) (With Amendment):

S. 569. Relating to DeKalb County; creating the DeKalb County Commission Redistricting Study Committee.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Sanders (With Notice and Proof):

S. 585. To amend the title and Sections 4 and 5 of Act No. 83-480, H. 669, 1983 Regular Session (Acts 1983, p. 672), entitled "An Act Relating to Sumter County, levying a fee on all hazardous and non-hazardous waste stored, deposited or dumped at a disposal site presently known as Chemical Waste Management, Inc., near Emelle, Sumter County, Alabama; providing for the collection of said fee; providing for the disbursement of said fee; providing for the organizing of the North Sumter County Development Authority; and providing penalties for violation" so as to provide further for redistribution of certain funds and to create the South Sumter County Development Authority.

By Senator deGraffenried:

S. 622. To propose an amendment to the Constitution of Alabama relating to the levy and collection of special property taxes for public school purposes in the Special School Tax District in Tuscaloosa County, Alabama, which is under the jurisdiction and control of the Tuscaloosa City Board of Education.

The above Bill was read a second time at length as required by the Constitution.

By Senator deGraffenried (With Notice and Proof):

S. 623. To authorize the governing body of Tuscaloosa County, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Tuscaloosa County, on all taxable property situated within the special school tax district subject to the jurisdiction and control of the Tuscaloosa City Board of Education, the special ad valorem tax for public school purposes which is authorized in Section 2 of Amendment No. 3 to the Constitution, to a maximum rate, for any tax year of the county, which, when added to the rate at which there is being levied and collected in the said special school tax district for such tax year a special ad valorem tax for educational purposes pursuant to Amendment No. 164 to the Constitution, does not exceed \$1.55 on each one hundred dollars (15.5 mills on each dollar) of assessed value.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Reps. Rice and Turnham (With Notice and Proof) (With Amendment):

H. 622. Relating to Lee County; authorizing the county commission to establish fire districts and to provide fire fighting and fire prevention services for dwellings, commercial structures, field and forest lands through the use of volunteer fire departments in cooperation with the Alabama Forestry Commission; authorizing the county commission to assess the whole or a part of the costs thereof, within a prescribed limit, against said recipients; and prescribing the procedure for levying and collecting such assessments.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Teague (With Notice and Proof):

S. 621. Relating to Talladega County; to exempt from all county or local ad valorem taxes all property owned and used by The Citizens Hospital Association in Talladega, Alabama.

By Senator Aldridge (With Notice and Proof):

S. 615. Relating to the city of Hartselle in Morgan County, Alabama; authorizing the city governing body to increase the membership of the Utilities Board of the city of Hartselle to expend certain sums of money

and to increase utility rates and providing for a referendum election on the provisions of this act.

By Senator Cooley (With Notice and Proof):

S. 567. To repeal Act No. 799, Regular Session 1977, except as to judges who have retired prior to the effective date of this act; to provide a substitute local retirement for circuit judges in the twenty-third judicial circuit; to increase contributions by said judges to the general fund of the county; to allow election to come under the provisions of said act.

By Reps. Hooper, McKee, Buskey (JL), and Starr (With Notice and Proof):

H. 591. Relating to the County of Montgomery, Alabama; to authorize the County of Montgomery to grant County ad valorem tax exemptions for up to fifteen (15) years to owner-developers who build new commercial or industrial facilities within the downtown business district as defined by the governing body of the City of Montgomery, providing that owner-developers receiving such exemptions shall, however, continue to pay County ad valorem property taxes on such property as was paid in the year preceding the improvement caused by the construction or development of the new commercial or industrial facility; to provide that the tax exemption herein shall not effect any taxes other than County ad valorem taxes; and to provide for the procedures to be followed in the granting of such exemptions.

By Reps. Starkey and Clark (D) (With Notice and Proof):

H. 671. Relating to Lauderdale County and its municipalities for the purpose of said county and municipalities joining with Colbert County and its municipalities, for the purpose of forming a Shoals Industrial Development Authority for promoting industry and trade and the development of said counties and cities; to provide for the organization, powers, functions, duties and personnel of such authority, and for the payment of expenses of the authority and for the compensation of its employees.

Senator Little, Vice Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senators Langford and Dixon (With Substitute) (With Amendment):

S. 105. To provide further a salary increase for certain state employees and to appropriate funds therefor for the fiscal year ending September 30, 1987.

Senator Little, Vice Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Denton (With Amendment):

S. 463. To amend Section 41-9-782, Code of Alabama 1975, which provides for the authority of the Tennessee Valley Exhibit Commission, so as to provide further for the Commission's authority to sell bonds.

Senator Little, Vice Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the

following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Denton:

S. 462. To amend section 9-3-10.1, Code of Alabama 1975, which provides for the emergency forest fire fund, so as to change the name to the emergency forest fire, insects and disease fund and to increase the ceiling on the appropriation to the fund.

By Senator Mitchem:

S. 453. To appropriate funds to the Alabama Association of Rescue Squads from the state general fund for the purpose of employing a full-time representative and executive director for said Association, and for the purchase, maintenance and operation of equipment necessary for the coordination of the performance of emergency services, and for the maintenance of a full-time state office for the Association and the staffing of the same.

By Senators Little and deGraffenried:

S. 514. The Uniform Transfers to Minors Act expands the scope of the Uniform Gifts to Minors Act to extend custodial mechanism so that it is available for a wider range of property interests and transactions. The Act repeals the present Uniform Gifts to Minors Act in Code of Alabama (1975) Sections 35-5-1 through 35-5-10, as amended.

By Senator Goodwin:

S. 582. To make an appropriation of \$98,000 from the State Industrial Development Authority Application Fees Fund to the State Industrial Development Authority for the fiscal year ending September 30, 1986.

By Senator Amari:

S. 489. To amend Section 40-18-19, Code of Alabama 1975, to provide for the exemption of retirement pay for firemen from state and local income taxes the same as retirement pay of school teachers, state employees, civil service retirees and peace officers.

## RESOLUTIONS

Senator Denton offered the following Senate Resolution, to-wit:

S. R. 264. COMMENDING MRS. WILLIE ALICE VINSON FOR HER EXCELLENT RECORD AS BUSINESS MANAGER AT NORTHWEST ALABAMA STATE JUNIOR COLLEGE.

Which was filed.

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 265. COMMENDING MR. JOHN EDWIN RUSH OF HUNTSVILLE, ALABAMA.

Also:

S. R. 266. COMMENDING MR. LAURIE V. ATKINSON OF HUNTSVILLE, ALABAMA.



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Also:

S. R. 267. COMMENDING MR. PORTER ONEAL DUNNAWAY OF HUNTSVILLE, ALABAMA.

Also:

S. R. 268. COMMENDING MR. J. TILLMAN WILLIAMS OF MADISON, ALABAMA.

Which were filed.

Senator Barron offered the following Senate Resolutions, to-wit:

S. R. 269. MOURNING THE DEATH OF W. D. KIRK OF RAINSVILLE, ALABAMA.

Also:

S. R. 270. COMMEMORATING THE SESQUICENTENNIAL OF DEKALB COUNTY, ALABAMA.

Which were filed.

Senator Smith (J) offered the following Senate Resolution, to-wit:

S. R. 271. COMMENDING ALICE FAYE LINTON OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Which was filed.

Senator Bedsole offered the following Senate Joint Resolution, to-wit:

S. J. R. 272. MOURNING THE DEATH OF MRS. WILHELMINA CHAMPLIN OF MOBILE, ALABAMA.

WHEREAS, the Alabama Legislature grievously records the death of Mrs. Wilhelmina Champlin of Mobile, Alabama, on March 15, 1986; and

WHEREAS, a native of Foley, Alabama, Mrs. Champlin had taught school for 27 years in the Mobile County public school system; and

WHEREAS, following her retirement, she was active in volunteer work and was named "Volunteer of the Year" in 1984 for her work with the Genetics and Birth Defects Center at the University of South Alabama Department of Medical Genetics; she was named "First Lady for 1978" in recognition of her work as an educator and humanitarian; and in 1975 received the Teacher of the Year Award; and

WHEREAS, Mrs. Champlin was a graduate of Murphy High School and Huntingdon College, did postgraduate work in biology and music at Duke University and Spring Hill College, and received her master's in special education from the University of Alabama; and

WHEREAS, a recital of her many accomplishments would be incomplete without the inclusion of the many contributions which Mrs. Champlin has made to the thousands of students whose lives were influenced by her teaching and wise counsel, and who will long remember her many personal kindnesses and quiet understanding; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are deeply saddened by the

death of Mrs. Wilhelmina Champlin of Mobile, Alabama, and extend sincere and deepest sympathy to her husband, Edward Earl Champlin; daughter, Greta V. Champlin; and son, Edward Earl Champlin, Jr., whose sorrow we share and for whom a copy of this resolution shall be provided.

On motion of Senator Bedsole, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Strong offered the following Senate Resolutions, to-wit:

S. R. 273. MOURNING THE DEATH OF MR. C. C. PRITCHETT, JR., OF THOMASTON, ALABAMA.

Also:

S. R. 274. MOURNING THE DEATH OF MRS. CHARLOTTE PRITCHETT OF MARENGO COUNTY, ALABAMA.

Which were filed.

### BUDGET ISOLATION RESOLUTION

On motion of Senator Dial, the Rules were suspended and the B. I. R., H. B. 600, was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hand	Menton	
Aldridge	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Sanders	
Bennett	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Langford	Strong	
Cooley	Figures	Little	Teague	
deGraffenried	Foshee			—25

Nays: —0

### BILLS ON THIRD READING

#### THE BILL:

H. 600. Relating to Chambers County; to require the installation and maintenance of an improved system of indexing documents affecting the title to property and other documents recorded in the office of the Judge of Probate; to provide the collection and disposition of a special indexing fee; and to provide that said system shall constitute official and permanent records in Chambers County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hand	Menton	
Aldridge	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Sanders	
Bennett	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Langford	Strong	
Cooley	Figures	Little	Teague	
deGraffenried	Foshee			—25

Nays: —0

THE BILL:

S. 501. Relating to Mobile County; to provide for a minimum annual salary for supernumerary tax collectors.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Figures	Menton
Aldridge	deGraffenried	Foshee	Mitchem
Bedsole	Denton	Goodwin	Parsons
Bennett	Dial	Hand	Sanders
Bishop	Dixon	Langford	Smith (B)
Cabaniss	Drinkard	Little	Strong
Cooley	Ellis		

— 25

Nays: — 0

RESOLUTION

Senator Dixon offered the following Senate Joint Resolution, to-wit:

S. J. R. 275. COMMENDING FRANCES S. SMITH FOR DISTINGUISHED SERVICE WITH THE STATE OF ALABAMA.

WHEREAS, the Legislature of Alabama notes the May 1, 1986, retirement of Frances S. Smith, a loyal and dedicated employee of the State of Alabama for over forty-five years; and

WHEREAS, Mrs. Smith was first employed by the State in March 1941 and relocated to the State Health Department on August 1, 1963; and

WHEREAS, during her long and notable tenure of service, Mrs. Smith has indeed compiled an impeccable record; she has served admirably and has been of invaluable assistance to the State Health Officer, State Board of Health, State Committee of Public Health and for several years to the Board of Medical Examiners; and

WHEREAS, on December 1, 1967, the State Committee of Public Health recognized Mrs. Smith's allegiance, dedication and loyalty and honored her by appointing her as the Board's Executive Assistant where she has continued to serve in this capacity until her retirement; and

WHEREAS, in addition to the many responsibilities of her position, Mrs. Smith also assumed responsibilities within her community by assisting neighbors in a time of need, regularly baking her unique, famous and delicious pound cakes and sharing them as a token of caring and love with many Senior Citizens in Nursing Homes and most particularly through dedicated involvement and activities with Capitol Heights Baptist Church; and

WHEREAS, with the retirement of Frances S. Smith, the State Committee of Public Health, the State Department of Public Health and the State of Alabama has lost a truly valued employee and one whose loyalty is above reproach and her commitment to excellence; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend

Frances S. Smith for her distinguished and dedicated service to the Department of Public Health, State Board of Health, State Committee of Public Health, State Health Officer and the State of Alabama.

BE IT FURTHER RESOLVED, That in small token of the Legislature's sincere admiration and regard, a copy of this resolution shall be presented to Mrs. Smith on the occasion of her retirement.

On motion of Senator Dixon, the Rules were suspended and the Resolution was adopted by the Senate.

### BILLS ON THIRD READING RESUMED

#### THE BILL:

H. 617. Relating to Lowndes County; providing for a chief clerk and clerk for the probate judge; and prescribing the duties and setting the salaries for such clerks; providing for the hiring of a part-time clerk; repealing Act No. 119, H. 115, of the 1978 Special Session (Acts 1978, p. 1835), Act No. 316, H. 719, of the 1939 Regular Session (Acts 1939, p. 205) and Act No. 40, H. 215 of the 1951 Regular Session (Acts 1951, p. 248).

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Figures	Menton
Aldridge	Covington	Foshee	Mitchem
Bedford	deGraffenried	Goodwin	Parsons
Bedsole	Denton	Hand	Sanders
Bennett	Dial	Langford	Smith (B)
Bishop	Dixon	Little	Teague
Cabaniss	Ellis		

—25

Nays:

—0

#### THE BILL:

S. 552. Relating to DeKalb County, repealing Act No. 449, S. 589, 1973 Regular Session, which provides that house trailers must have identification tags.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	deGraffenried	Foshee	Mitchem
Aldridge	Denton	Goodwin	Parsons
Barron	Dial	Hand	Sanders
Bedsole	Dixon	Langford	Smith (B)
Cabaniss	Drinkard	Little	Strong
Cooley	Ellis	Menton	Teague
Covington	Figures		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTIONS**

Senator Aldridge, B. I. R., S. B. 566, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Menton	
Aldridge	deGraffenried	Goodwin	Mitchem	
Amari	Denton	Hand	Parsons	
Bedsole	Dial	Horn	Smith (J)	
Bennett	Dixon	Langford	Strong	
Cabaniss	Ellis	Little	Teague	
Cooley	Figures			—25

*Nays:* —0

Senator Aldridge, B. I. R., H. B. 247, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Figures	Langford	
Aldridge	Covington	Foshee	Little	
Amari	deGraffenried	Goodwin	Menton	
Barron	Denton	Hand	Parsons	
Bedsole	Dial	Holmes	Strong	
Bennett	Dixon	Horn	Teague	
Cabaniss	Ellis			—25

*Nays:* —0

Senator Foshee, B. I. R., S. B. 498, adopted.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Bennett	Goodwin	Menton	
Aldridge	Cabaniss	Hand	Parsons	
Amari	Denton	Hilliard	Sanders	
Barron	Dial	Horn	Smith (B)	
Bedford	Dixon	Langford	Strong	
Bedsole	Foshee	Little		—22

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 566. Relating to Lawrence County, providing further for annexation of the below described land to the City of North Courtland.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Menton	
Aldridge	deGraffenried	Goodwin	Mitchem	
Amari	Denton	Hand	Parsons	
Bedsole	Dial	Horn	Smith (J)	
Bennett	Dixon	Langford	Strong	
Cabaniss	Ellis	Little	Teague	
Cooley	Figures			—25

*Nays:* —0**THE BILL:**

H. 247. Relating to Morgan County; providing further for the expense allowances of the chairman and the members of the county commission; and repealing conflicting laws.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Figures	Langford	
Aldridge	Covington	Foshee	Little	
Amari	deGraffenried	Goodwin	Menton	
Barron	Denton	Hand	Parsons	
Bedsole	Dial	Holmes	Strong	
Bennett	Dixon	Horn	Teague	
Cabaniss	Ellis			—25

*Nays:* —0**BUDGET ISOLATION RESOLUTIONS**

Senator Bedsole, B. I. R., S. B. 417, adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Bennett	Dixon	Little	
Aldridge	Cabaniss	Goodwin	Menton	
Bailey	Cooley	Hand	Parsons	
Barron	Denton	Holmes	Sanders	
Bedford	Dial	Langford	Smith (B)	
Bedsole				—20

*Nays:* —0

On motion of Senator Aldridge, the Rules were suspended and the B. I. R., S. B. 547, was adopted.

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Yeas 22; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Menton	
Aldridge	Cooley	Goodwin	Parsons	
Barron	Denton	Hand	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Dixon	Langford	Strong	
Bennett	Drinkard	Little		—22

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

Senator Foshee requested and received permission to suspend the Rules in order to bring up the Bill:

S. 498. To exempt the Eye Foundation, Inc., and any of its branches and agencies from all state, county, or municipal sales or use taxes.

And said Bill, S. B. 498, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

*Yeas:*

Senators:	Bennett	Drinkard	Little	
Aldridge	Cabaniss	Foshee	Menton	
Amari	Cooley	Goodwin	Parsons	
Barron	Denton	Hand	Smith (B)	
Bedford	Dial	Holmes	Strong	
Bedsole	Dixon	Langford	Teague	—23

*Nays:* —0

**BUDGET ISOLATION RESOLUTIONS**

On motion of Senator Hand, the Rules were suspended and the B. I. R., S. B. 588, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Little	
Aldridge	Denton	Hand	Menton	
Barron	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Sanders	
Bennett	Ellis	Horn	Smith (B)	
Cabaniss	Figures	Langford	Strong	
Cooley	Foshee			—25

*Nays:* —0

On motion of Senator Hand, the Rules were suspended and the B. I. R., S. B. 589, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Little
Aldridge	Denton	Hand	Menton
Barron	Dial	Hilliard	Parsons
Bedsole	Dixon	Holmes	Sanders
Bennett	Ellis	Horn	Smith (B)
Cabaniss	Figures	Langford	Strong
Cooley	Foshee		

—25

*Nays:*

—0

On motion of Senator Hand, the Rules were suspended and the B. I. R., S. B. 590, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Parsons
Amari	Corbett	Hand	Sanders
Bailey	Denton	Holmes	Smith (B)
Barron	Dial	Horn	Smith (J)
Bedford	Dixon	Little	Strong
Bedsole	Ellis	Menton	Teague
Bishop	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 588. Relating to Baldwin County; providing for the reidentification of registered voters in such county; prescribing the procedure for the reidentification of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Little
Aldridge	Denton	Hand	Menton
Barron	Dial	Hilliard	Parsons
Bedsole	Dixon	Holmes	Sanders
Bennett	Ellis	Horn	Smith (B)
Cabaniss	Figures	Langford	Strong
Cooley	Foshee		

—25

*Nays:*

—0

Senator Bedsole requested and received permission to suspend the Rules in order to bring up the Bill:

S. 417. To establish an official state nongame wildlife print or wildlife stamp; provides for funding of the program establishing the print or stamp;



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and provides that the program shall be administered by the Department of Conservation and Natural Resources.

And said Bill, S. B. 417, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Menton	
Aldridge	Dial	Hilliard	Parsons	
Barron	Dixon	Holmes	Smith (B)	
Bedsole	Drinkard	Langford	Strong	
Cabaniss	Foshee	Little	Teague	
Cooley				—20

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

On motion of Senator Dial, the Rules were suspended and the B. I. R., H. B. 315, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Parsons	
Bailey	Denton	Hand	Smith (B)	
Barron	Dial	Holmes	Smith (J)	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 315. Relating to Clay County; requiring the county health department or its agents to perform soil percolation tests for septic tank installation purposes for a certain fee.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Parsons	
Bailey	Denton	Hand	Smith (B)	
Barron	Dial	Holmes	Smith (J)	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTIONS**

On motion of Senator Strong, the Rules were suspended and the B. I. R., S. B. 600, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Figures	Little	
Aldridge	Covington	Foshee	Menton	
Barron	deGraffenried	Goodwin	Smith (B)	
Bedsole	Denton	Hand	Smith (J)	
Bennett	Dial	Hilliard	Strong	
Bishop	Dixon	Holmes	Teague	
Cabaniss	Ellis			—25

*Nays:* —0

On motion of Senator Bedford, the Rules were suspended and the B. I. R., S. B. 562, was adopted.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Cabaniss	Drinkard	Little	
Aldridge	Cooley	Foshee	Menton	
Amari	deGraffenried	Goodwin	Parsons	
Bedford	Denton	Hand	Strong	
Bedsole	Dial	Holmes	Teague	
Bennett	Dixon			—21

*Nays:* —0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 589. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Summerdale, in Baldwin County.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Little	
Aldridge	Denton	Hand	Menton	
Barron	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Sanders	
Bennett	Ellis	Horn	Smith (B)	
Bishop	Figures	Langford	Strong	
Cooley	Foshee			—25

*Nays:* —0

**THE BILL:**

S. 590. Relating to Baldwin County; authorizing the sheriff to accept certain private contributions; providing for the placement and distribution of said contributions and providing for its retroactive effect.

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was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Langford	
Aldridge	deGraffenried	Goodwin	Little	
Barron	Denton	Hand	Menton	
Bedford	Dial	Hilliard	Smith (B)	
Bedsole	Dixon	Holmes	Strong	
Cabaniss	Ellis	Horn	Teague	
Cooley	Figures			—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTIONS**

On motion of Senator Holmes, the Rules were suspended and the B. I. R., H. B. 62, was adopted.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Parsons	
Aldridge	Denton	Holmes	Smith (B)	
Bailey	Dixon	Horn	Smith (J)	
Bedford	Drinkard	Little	Strong	
Bedsole	Ellis	Menton	Teague	
Cabaniss	Foshee			—21

*Nays:* —0

Senator Foshee, B. I. R., S. B. 5, adopted.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Cabaniss	Drinkard	Parsons	
Aldridge	Cooley	Foshee	Smith (B)	
Amari	Covington	Goodwin	Smith (J)	
Bailey	deGraffenried	Horn	Strong	
Bedsole	Denton	Little	Teague	
Bennett	Dixon			—21

*Nays:* —0

Senator Teague, B. I. R., S. B. 474, adopted.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Cabaniss	Drinkard	Little	
Aldridge	Cooley	Ellis	Parsons	
Amari	Corbett	Foshee	Smith (B)	
Bailey	Covington	Goodwin	Strong	
Bedsole	deGraffenried	Holmes	Teague	
Bennett	Dixon	Horn		—22

*Nays:* —0

Senator deGraffenried, B. I. R., S. B. 85, adopted.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Cabaniss	Drinkard	Little	
Aldridge	Cooley	Ellis	Parsons	
Bailey	deGraffenried	Foshee	Smith (B)	
Bedsole	Denton	Goodwin	Strong	
Bennett	Dixon	Holmes	Teague	—19

*Nays:* —0

Senator Goodwin, B. I. R., S. B. 487, adopted.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Cabaniss	Ellis	Little	
Aldridge	Cooley	Foshee	Parsons	
Bailey	deGraffenried	Goodwin	Smith (B)	
Bedford	Denton	Holmes	Strong	
Bedsole	Dixon	Horn	Teague	
Bennett	Drinkard			—21

*Nays:* —0

## UNFINISHED BUSINESS

### BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 45. To amend section 36-22-61 Code of Alabama 1975, to provide the same benefits to the spouse of a Sheriff who dies in office as are currently provided for the spouse of a Supernumerary Sheriff, so long as such deceased Sheriff was eligible for Supernumerary status immediately preceding his death.

On motion of Senator Cooley, further consideration of the Bill, S. B. 45, was postponed subject to the call of the Chair.

Senator Cooley requested and received permission to suspend the Rules in order to bring up the Bill:

H. 628. To alter, rearrange and extend the boundary lines and corporate limits of the City of Cullman, in Cullman County.

And said Bill, H. B. 628, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Figures	Little	
Amari	Cooley	Foshee	Menton	
Bailey	Corbett	Hand	Parsons	
Barron	Denton	Hilliard	Smith (B)	
Bedford	Dial	Holmes	Smith (J)	
Bedsole	Dixon	Horn	Strong	
Bennett	Ellis			—25

*Nays:* —0

Senator Strong requested and received permission to suspend the Rules in order to bring up the Bill:

S. 600. To propose an amendment to the Constitution of Alabama of 1901, relating to fire protection districts in Clarke County, so as to provide for the levy and collection of certain additional property tax for fire protection in said county.

And said Bill, S. B. 600, was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Menton
Amari	Denton	Hand	Mitchem
Bailey	Dial	Hilliard	Parsons
Bedford	Dixon	Holmes	Smith (B)
Bedsole	Ellis	Horn	Smith (J)
Bishop	Figures	Little	Strong
Cooley	Foshee		

—25

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

On motion of Senator Drinkard, the Rules were suspended and the B. I. R., S. B. 601, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Ellis	Menton
Amari	Cooley	Figures	Parsons
Bailey	Corbett	Foshee	Sanders
Barron	Denton	Hand	Smith (B)
Bedford	Dial	Horn	Smith (J)
Bedsole	Dixon	Little	Strong
Bennett	Drinkard		

—25

*Nays:* —0

### BILLS ON THIRD READING RESUMED

Senator Drinkard requested and received permission to suspend the Rules in order to bring up the Bill:

S. 601. Relating to Etowah County; to provide for the mailing addresses of the grantees to appear on all conveyances of real property recorded in the probate office of such county.

And said Bill, S. B. 601, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Ellis	Menton	
Amari	Cooley	Figures	Parsons	
Bailey	Corbett	Foshee	Sanders	
Barron	Denton	Hand	Smith (B)	
Bedford	Dial	Horn	Smith (J)	
Bedsole	Dixon	Little	Strong	
Bennett	Drinkard			—25

*Nays:* —0**FURTHER CONSIDERATION OF S. B. 45**

The Senate proceeded to further consideration of the Bill, S. B. 45.

And said Bill, S. B. 45, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Aldridge	Corbett	Goodwin	Parsons	
Bailey	Covington	Horn	Sanders	
Bedford	deGraffenried	Langford	Strong	
Bedsole	Drinkard	Little	Teague	
Bennett	Ellis			—21

*Nays:* —0**MESSAGE FROM THE HOUSE**

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 247. Relating to Morgan County; providing further for the expense allowances of the chairman and the members of the county commission; and repealing conflicting laws.

Also:

H. 315. Relating to Clay County; requiring the county health department or its agents to perform soil percolation tests for septic tank installation purposes for a certain fee.

Also:

H. 600. Relating to Chambers County; to require the installation and maintenance of an improved system of indexing documents affecting the title to property and other documents recorded in the office of the Judge of Probate; to provide the collection and disposition of a special indexing fee; and to provide that said system shall constitute official and permanent records in Chambers County.

Also:

H. 617. Relating to Lowndes County; providing for a chief clerk and clerk for the probate judge; and prescribing the duties and setting the salaries for such clerks; providing for the hiring of a part-time clerk; repealing Act No. 119, H. 115, of the 1978 Special Session (Acts 1978, p. 1835), Act No. 316, H. 719, of the 1939 Regular Session (Acts 1939, p. 205) and Act No. 40, H. 215 of the 1951 Regular Session (Acts 1951, p. 248).

JOHN W. PEMBERTON,  
Clerk.

### **SIGNING OF BILLS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### **BILLS ON THIRD READING RESUMED**

Senator deGraffenried requested and received permission to suspend the Rules in order to bring up the Bill:

S. 85. To further amend § 40-23-1, Code of Alabama 1975, as amended, which section contains various definitions applicable to the Alabama sales tax, so as to amend the definition of "sale or sales," and declaring that this bill does not provide any grounds for jurisdiction for collecting sales or use tax over retailers who have not otherwise submitted to the jurisdiction of this state for tax purposes.

### **MOTIONS TO ADJOURN LOST**

At 3:35 P.M., Senator Teague moved that the Senate adjourn until Tuesday, April 1, 1986, at 12 o'clock Noon, which motion was lost.

At 3:40 P.M., Senator Hilliard moved that the Senate adjourn until Tuesday, April 1, 1986, at 11:30 A.M., which motion was lost.

### **FURTHER CONSIDERATION OF S. B. 85**

The Senate proceeded to further consideration of the Bill, S. B. 85.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, S. B. 85, to-wit:

### **AMENDMENT TO S. B. 85**

Amend SB 85, Section 1, at Page 2, Line 26, by deleting the words "or contract" appearing at the end of Line 26.

Further amend SB 85, Section 1, at Page 2, Line 29, by deleting the word "separately" at the end of Line 29, immediately following the word "billed" and preceding a comma and inserting in lieu thereof the following words "as a separate item".

On motion of Senator deGraffenried, said amendment was laid on the table.

Senator deGraffenried then offered the following substitute for the Bill, S. B. 85, to-wit:

**SUBSTITUTE FOR S. B. 85**

**A BILL  
TO BE ENTITLED  
AN ACT**

To further amend § 40-23-1, Code of Alabama 1975, as amended, which section contains various definitions applicable to the Alabama sales tax, so as to amend the definition of "sale or sales," and declaring that this bill does not provide any grounds for jurisdiction for collecting sales or use tax over retailers who have not otherwise submitted to the jurisdiction of this state for tax purposes.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

SECTION 1: § 40-23-1, Code of Alabama 1975, is hereby amended to read, as follows:

§ 40-23-1. Definitions.

"(a) For the purpose of this division, the following terms shall have the respective meanings ascribed by this section:

"(1) **PERSON OR COMPANY.** Used interchangeably, includes any individual, firm, copartnership, association, corporation, receiver, trustee or any other group or combination acting as a unit and the plural as well as the singular number, unless the intention to give a more limited meaning is disclosed by the context.

"(2) **DEPARTMENT.** The department of revenue of the state of Alabama.

"(3) **COMMISSIONER.** The commissioner of revenue of the state of Alabama.

"(4) **TAX YEAR or TAXABLE YEAR.** The calendar year.

"(5) **SALE or SALES.** Installment and credit sales and the exchange of properties as well as the sale thereof for money, every closed transaction constituting a sale. Provided, however, a transaction shall not be closed or a sale completed until the time and place when and where title is transferred by the seller or seller's agent to the purchaser or purchaser's agent, and for the purpose of determining transfer of title, a common carrier or the U. S. Postal Service shall be deemed to be the agent of the seller, regardless of any F.O.B. point and regardless of who selects the method of transportation, and regardless of by whom or the method by which freight, postage or other transportation charge is paid. Provided further that, where billed as a separate item to and paid by the purchaser, the freight, postage or other transportation charge paid to a common carrier or the U. S. Postal Service is not a part of the selling price.

"(6) **GROSS PROCEEDS OF SALE.** The value proceeding or accruing from the sale of tangible personal property, and including the proceeds from the sale of any property handled on consignment by the taxpayer, including merchandise of any kind and character without any deduction on account of the cost of the property sold, the cost of the materials used, labor or service cost, interest paid or any other expenses whatsoever, and without



any deductions on account of losses; provided, that cash discounts allowed and taken on sales shall not be included, and 'gross proceeds of sales' shall not include the sale price of property returned by customers when the full sales price thereof is refunded either in cash or by credit. Said term 'gross proceeds of sale' shall also mean and include the reasonable and fair market value of any tangible personal property previously purchased at wholesale by a person engaged in the business of selling at retail tangible personal property which is withdrawn or used from the business or stock by such person for the personal and private use or consumption, without transfer of title, in connection with the business, and shall also mean and include the reasonable and fair market value of any tangible personal property previously purchased at wholesale by a person engaged in the business of selling at retail tangible personal property which is withdrawn from the business or stock for the personal and private use or consumption, without transfer of title, by the person so withdrawing the same, except property which has been previously withdrawn from such business or stock and so used or consumed with respect to which property the tax has been paid because of such previous withdrawal, use or consumption, and except property which enters into and becomes an ingredient or component part of tangible personal property or products manufactured, fabricated or compounded for sale or for use in the performance of a contract for improvements or additions to real estate situated outside the state of Alabama.

"(7) TAXPAYER. Any person liable for taxes hereunder.

"(8) GROSS RECEIPTS. The value proceeding or accruing from the sale of tangible personal property, including merchandise and commodities of any kind and character, all receipts actual and accrued, by reason of any business engaged in, not including, however, interest, discounts, rentals of real estate or royalties, and without any deduction on account of the cost of the property sold, the cost of the materials used, labor or service cost, interest paid or any other expenses whatsoever and without any deductions on account of losses. Said term 'gross receipts' shall also mean and include the reasonable and fair market value of any tangible personal property previously purchased at wholesale by a person engaged in the business of selling at retail tangible personal property, which is withdrawn or used from the business or stock by such person for the personal and private use or consumption, without transfer of title, in connection with the business, and shall also mean and include the reasonable and fair market value of any tangible personal property previously purchased at wholesale which is withdrawn from the business or stock for the personal and private use or consumption, without transfer of title, by the person so withdrawing the same, except property which has been previously withdrawn from such business or stock and so used or consumed and with respect to which property the tax has been paid because of such previous withdrawal, use or consumption, and except property which enters into and becomes an ingredient or component part of tangible personal property or products manufactured, fabricated or compounded for sale or for use in the performance of a contract for improvements or additions to real estate situated outside the state of Alabama.

"(9) WHOLESALE SALE OR SALE AT WHOLESALE. Any one of the following:

"a. A sale of tangible personal property by wholesalers to licensed retail merchants, jobbers, dealers, or other wholesalers for resale and does not include a sale by wholesalers to users or consumers, not for resale;

"b. A sale of tangible personal property or products, including iron ore, to a manufacturer or compounder which enter into and become an ingredient or component part of the tangible personal property or products which such manufacturer or compounder manufactures or compounds for sale, whether or not any such tangible personal property or product used in manufacturing or compounding a finished product is used with the intent that it becomes a component of the finished product; provided, however that it is the intent of this section that no capital equipment, machinery, tools, or product, except for those materials essential for the reaction process and in direct contact with the intermediate and finished product used for the production of the finished product shall be exempt and the furnished container and label thereof;

"c. A sale of containers intended for one-time use only, and the labels thereof, when such containers are sold without contents to persons who sell or furnish such containers along with the contents placed therein for sale by such persons;

"d. A sale of pallets intended for one-time use only when such pallets are sold without contents to persons who sell or furnish such pallets along with the contents placed thereon for sale by such persons;

"e. A sale to a manufacturer or compounder, of crowns, caps and tops intended for one-time use employed and used upon the containers in which such manufacturer or compounder markets his products;

"f. A sale of containers to persons engaged in selling or otherwise supplying or furnishing baby chicks to growers thereof where such containers are used for the delivery of such chicks or a sale of containers for use in the delivery of eggs by the producer thereof to the distributor or packer of such eggs even though such containers used for delivery of baby chicks or eggs may be recovered for reuse;

"g. A sale of bagging and ties used in preparing cotton for market.

"h. A sale to meat packers, manufacturers, compounders or processors of meat products of all casings used in molding or forming weiners and Vienna sausages even though such casings may be recovered for reuse;

"i. A sale of commercial fish feed including concentrates, supplements and other feed ingredients when such substances are used as ingredients in mixing and preparing feed for fish raised to be sold on a commercial basis;

"j. A sale of tangible personal property to any person engaging in the business of leasing or renting such tangible personal property to others, if such tangible personal property is purchased for the purpose of leasing or renting it to others under a transaction subject to the privilege or license tax levied in article 4 of chapter 12 of this title against any person engaging in the business of leasing or renting tangible personal property to others;

"k. A purchase or withdrawal of parts or materials from stock by any person licensed under this division where such parts or materials are used in repairing or reconditioning the tangible personal property of such licensed person, which tangible personal property is a part of the stock of goods of such licensed person, offered for sale by him and not for use or consumption of such licensed person.

"(10) SALE AT RETAIL OR RETAIL SALE. All sales of tangible personal property except those above defined as wholesale sales. The quantities of goods sold or prices at which sold are immaterial in determining

whether or not a sale is at retail. Sales of building materials to contractors, builders or landowners for resale or use in the form of real estate are retail sales in whatever quantity sold. Sales of building materials, fixtures or other equipment to a manufacturer or builder of modular buildings for use in manufacturing, building or equipping a modular building ultimately becoming a part of real estate situated in the state of Alabama are retail sales, and the use, sale or resale of such building shall not be subject to the tax. Sales of tangible personal property to undertakers and morticians are retail sales and subject to the tax at the time of purchase, but are not subject to the tax on resale to the consumer. Sales of tangible personal property or products to manufacturers, quarry operators, mine operators or compounders, which are used or consumed by them in manufacturing, mining, quarrying or compounding and do not become an ingredient or component part of the tangible personal property manufactured or compounded are retail sales. The term 'sale at retail' or 'retail sale' shall also mean and include the withdrawal, use or consumption of any tangible personal property previously purchased at wholesale by a person engaged in the business of selling at retail tangible personal property from the business or stock for the personal and private use or consumption, without transfer of title, in connection with the business or by the person so withdrawing, using or consuming the same, except property which has been previously withdrawn from the business or stock and so used or consumed and with respect to which property tax has been paid because of such previous withdrawal, use or consumption, and except property which enters into and becomes an ingredient or component part of tangible personal property or products manufactured, fabricated or compounded for sale or for use in the performance of a contract for improvements or additions to real estate situated outside the state of Alabama; and such wholesale purchaser shall report and pay the taxes thereon.

"(11) BUSINESS. All activities engaged in, or caused to be engaged in, with the object of gain, profit, benefit or advantage, either direct or indirect, and not excepting subactivities producing marketable commodities used or consumed in the main business activity, each of which subactivities shall be considered business engaged in, taxable in the class in which it falls.

"(12) AUTOMOTIVE VEHICLE. A power shovel, dragline, crawler, crawler crane, ditcher or any similar machine which is self-propelled, in addition to self-propelled machines which are used primarily as instruments of conveyance.

"(b) The use within this state of tangible personal property by the manufacturer thereof, as building materials in the performance of the construction contract, shall, for the purposes of this division, be considered as a retail sale thereof by such manufacturer, who shall also be construed as the ultimate consumer of such materials or property, and who shall be required to report such transaction and pay the sales tax thereon, based upon the reasonable and fair market price thereof at the time and place where same are used or consumed by him or it. Where the contractor is the manufacturer or compounder of ready-mix concrete or asphalt plant mix used in the performance of a contract, whether the ready-mix concrete or asphalt plant mix is manufactured or compounded at the job site or at a fixed or permanent plant location, the tax applies only to the cost of the ingredients that become a component part of the ready-mix concrete or the asphalt plant mix. The provisions of this subsection shall not apply to any tangible personal property which is specifically exempted from the tax levied in this division.

"(c) The sale of lumber by a lumber manufacturer to a trucker for resale is a sale at wholesale as such sales are defined herein where the trucker is either a licensed dealer in lumber or, if a resident of Alabama, has registered with the department of revenue, and has received therefrom a certificate of such registration or, if a nonresident of this state purchasing lumber for resale outside the state of Alabama, has furnished to the lumber manufacturer his name, address and the vehicle license number of the truck in which the lumber is to be transported, which name, address and vehicle license number shall be shown on the sales invoice rendered by the lumber manufacturer. The certificate provided for herein shall be valid for the calendar year of its issuance and may be renewed from year to year on application to the department of revenue on or before January 31 of each succeeding year; provided, that if not renewed the certificate shall become invalid for the purpose of this division on February 1.

"(d) The dispensing or transferring of ophthalmic materials, including lenses, frames, eyeglasses, contact lenses and other therapeutic optic devices, to a patient by a licensed ophthalmologist or optometrist, as a part of his or her professional service, shall not, for purposes of this division, be deemed or considered to constitute a sale, subject to the state sales tax. Such licensed ophthalmologist or optometrist shall be considered the ultimate customer of the ophthalmic materials and shall have no responsibility or duty pursuant to this division for the collection of the state sales tax. The sale of the ophthalmic materials to a licensed ophthalmologist or optometrist by a supplier thereof shall be considered a retail sale subject to the state sales tax, and the supplier shall be responsible for collecting such sales tax from the licensed ophthalmologist or optometrist. In no event shall the providing of professional services in connection with the dispensing or transferring of ophthalmic materials by a licensed ophthalmologist or optometrist be considered a sale subject to the state sales tax. All transfers of ophthalmic materials by opticians shall be considered retail sales subject to the state sales tax. The term supplier shall include but not be limited to optical laboratories, ophthalmic material wholesalers, or anyone selling ophthalmic materials to ophthalmologists and optometrists."

SECTION 2: This Act does not provide any grounds for jurisdiction for collecting sales or use tax over retailers who have not otherwise submitted to the jurisdiction of this state for tax purposes.

SECTION 3: The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

SECTION 4: This Act shall become effective immediately following its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Senators:	Bennett	Figures	Langford
Aldridge	Cabaniss	Foshee	Little
Amari	Covington	Goodwin	Sanders
Bailey	deGraffenried	Hand	Smith (B)
Bedford	Denton	Holmes	Smith (J)
Bedsole	Ellis	Horn	Teague

—23

Nays:

—0

And said Bill, S. B. 85, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Goodwin	Menton	
Aldridge	deGraffenried	Hilliard	Sanders	
Bailey	Denton	Holmes	Smith (B)	
Bedford	Dixon	Horn	Smith (J)	
Bedssole	Ellis	Langford	Strong	
Bennett	Figures	Little	Teague	
Cabaniss	Foshee			—25

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

On motion of Senator Bedssole, the Rules were suspended and the B. I. R., H. B. 231, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Langford	
Barron	deGraffenried	Goodwin	Little	
Bedford	Denton	Hand	Menton	
Bedssole	Dial	Hilliard	Parsons	
Bennett	Dixon	Holmes	Sanders	
Cabaniss	Ellis	Horn	Smith (B)	
Cooley	Figures			—25

*Nays:* —0

### BILLS ON THIRD READING RESUMED

Senator Bedssole requested and received permission to suspend the Rules in order to bring up the Bill:

H. 231. Relating to Mobile County, to provide for the deposit of moneys collected by the Mobile County License Commissioner and other elected officials in Mobile County.

And said Bill, H. B. 231, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Aldridge	deGraffenried	Goodwin	Parsons	
Barron	Denton	Hand	Sanders	
Bedssole	Dial	Hilliard	Smith (B)	
Bennett	Dixon	Langford	Strong	
Bishop	Ellis	Little	Teague	
Cabaniss	Figures			—25

*Nays:* —0

**MOTION TO ADJOURN LOST**

Senator Holmes moved that the Senate adjourn until Tuesday, April 1, 1986, at 1 o'clock P.M., which motion was lost.

Yeas 11; Nays 17.

*Yeas:*

Senators:	Denton	Hilliard	Langford	
Bedsole	Ellis	Holmes	Smith (B)	
Corbett	Figures	Horn	Teague	—11

*Nays:*

Senators:	Cabaniss	Drinkard	Little	
Aldridge	Cooley	Foshee	Menton	
Amari	Covington	Goodwin	Parsons	
Bailey	deGraffenried	Hand	Smith (J)	
Bedford	Dixon			—17

**SPECIAL ORDER****BILLS ON THIRD READING RESUMED**

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, which was the Bill:

S. 232. To require notice to a parent prior to performing an abortion on an unemancipated minor who is less than eighteen years old, or any mentally incompetent person, regardless of age, under the guardianship of another, to the extent constitutionally permissible; to provide for the enforcement of this Act; and to prescribe penalties for violations.

Senator Holmes moved that further consideration of the Bill, S. B. 232, be postponed subject to the call of the Chair.

Senator Hilliard offered a substitute motion that further consideration of the Bill, S. B. 232, be postponed until 1:30 P.M. on the Twenty-Fourth Legislative Day, which motion was adopted.

**BILLS ON THIRD READING RESUMED**

Senator Holmes requested and received permission to suspend the Rules in order to bring up the Bill:

H. 62. To provide for criminal penalties and civil liability for the theft of certain cable television services, and to provide for the confiscation of certain equipment used in the theft of any such cable television services.

And said Bill, H. B. 62, was read a third time at length and passed.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Cooley	Drinkard	Holmes	
Aldridge	Corbett	Ellis	Langford	
Amari	deGraffenried	Foshee	Little	
Bedsole	Denton	Goodwin	Menton	
Bennett	Dixon	Hand	Smith (B)	
Cabaniss				—20

*Nays:*

—0

Senator Goodwin requested and received permission to suspend the Rules in order to bring up the Bill:

S. 487. To regulate rental-purchase agreements; to require disclosure of certain information by the merchant to the consumer; to authorize re-instatement of agreements under certain conditions; to regulate advertising for rental-purchase agreements; to provide for damages for violations of this act; and to amend Section 5-19-1, Code of Alabama 1975, which defines certain terms for consumer finance purposes, so as to exclude rental-purchase agreements from the definition of credit sale.

And said Bill, S. B. 487, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Menton	
Amari	Denton	Goodwin	Parsons	
Bedsole	Dixon	Holmes	Smith (B)	
Bennett	Drinkard	Horn	Smith (J)	
Cabaniss	Ellis	Langford	Strong	
Corbett	Figures	Little		—22

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

On motion of Senator Dixon, the Rules were suspended and the B. I. R., S. B. 77, was adopted.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Bennett	Foshee	Menton	
Amari	Cabaniss	Goodwin	Parsons	
Bailey	Denton	Hand	Sanders	
Bedford	Dixon	Langford	Smith (B)	
Bedsole	Ellis	Little	Smith (J)	—19

*Nays:* —0

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 628. To alter, rearrange and extend the boundary lines and corporate limits of the City of Cullman, in Cullman County.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of

a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

### BILLS ON THIRD READING RESUMED

Senator Dixon requested and received permission to suspend the Rules in order to bring up the Bill:

S. 77. To provide for creditable service for purposes of service retirement for unused accrued sick leave for retiring state merit system employees.

And said Bill, S. B. 77, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Menton	
Amari	Covington	Goodwin	Parsons	
Bailey	Denton	Hand	Sanders	
Bennett	Dixon	Langford	Smith (B)	
Cabaniss	Drinkard	Little		—18

Nays: —0

Senator Smith (B) requested and received permission to suspend the Rules in order to bring up the Bill:

S. 547. To provide for the incorporation of the Alabama Space Science Exhibit Finance Authority; to provide for the Authority's members, officers and directors; to empower the Authority to acquire and hold title to real and personal property and to sell, convey or lease that property; to provide for the leasing of facilities owned by the Authority to certain entities; to authorize the sale and issuance of bonds and refunding bonds by the Authority and to grant mortgages upon security interests in its facilities and to pledge for payment on its bonds the rents and revenues from such facilities; to provide the Authority has the same power of eminent domain as the State; to provide temporary loans in anticipation of the issuance of bonds; to provide for the disposition of proceeds from the sale of bonds issued by the Authority; to provide that the principal of, premium, if any, and interest on the bonds shall be secured by rents and revenues of facilities, proceeds from the sale of the facilities, unexpended bond proceeds, insurance proceeds and/or mortgage or security interest in the facilities; to exempt the property of the Authority from taxation; to provide that venue for any action arising out of this Act shall be the circuit court of Madison County, Alabama; to provide for dissolution of the Authority; to exempt the Authority from the competitive bid law; to exempt the Authority from the Sunset Law; to provide that the provisions of the Act are severable; and to provide an effective date.

The Standing Committee on Industrial Expansion, Economic Growth, and Jobs reported the following amendment to the Bill, S. B. 547, to-wit:

### AMENDMENT TO S. B. 547

Amend S. B. 547 as follows:

On page 7, line 10, between the words "bank" and "as" insert the following words:

or a savings and loan institution



On motion of Senator Smith (B), said amendment was laid on the table.

Senator Smith (B) then offered the following substitute for the Bill, S. B. 547, to-wit:

**SUBSTITUTE FOR S. B. 547**

**A BILL  
TO BE ENTITLED  
AN ACT**

To provide for the incorporation of the Alabama Space Science Exhibit Finance Authority; to provide for the Authority's members, officers and directors; to empower the Authority to acquire and hold title to real and personal property and to sell, convey or lease that property; to provide for the leasing of facilities owned by the Authority to certain entities; to empower the Authority to sell and issue its notes, bonds and refunding bonds, to grant mortgages upon, and security interests in its facilities and to pledge for payment of its notes, bonds and refunding bonds the rents and revenues from such facilities, the proceeds from the sale of such facilities, unexpended note or bond proceeds, insurance proceeds and/or mortgage or security interests in the Authority's facilities; to confer on the Authority the same power of eminent domain as that possessed by the State; to provide for temporary loans in anticipation of the issuance of bonds; to provide for the disposition of proceeds from the sale of bonds or refunding bonds issued by the Authority; to exempt from taxation the income and property of the Authority, all lien notices with respect thereto, the interest on the notes and bonds of the Authority and all purchases and uses of property by the Authority; to provide that venue for any action arising out of this Act shall be in the circuit court of Madison County, Alabama; to provide for dissolution of the Authority; to exempt leases of the Authority from the competitive bid law; to exempt the Authority from the Sunset Law; to provide that the provisions of this Act are severable; and to provide an effective date.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. Definitions. For the purposes of this Act, the following terms shall have the meanings respectively ascribed to them by this section:

"Authority" shall mean the public corporation organized pursuant to the provisions of this Act.

"Commission" shall mean the Alabama Space Science Exhibit Commission established pursuant to and under the provisions of Article 15 of Chapter 9 of Title 41 of the Code, and its successors as the state agency established for the purposes set out in said Article 15.

"Code" shall mean the Code of Alabama, 1975, as amended.

"Refunding Bonds" shall mean those refunding bonds issued under the provisions of Section 13 of this Act.

"State" shall mean the state of Alabama.

"Bonds" shall mean those bonds, including without limitation Refunding Bonds, issued under the provisions of this Act.

"Facilities" shall mean and include Exhibit Facilities, Educational Facilities and any other facilities or lands necessary or useful in connection with Exhibit Facilities or Educational Facilities, including, without limiting

the generality of the foregoing, offices, camp counselors' quarters, warehouses, garages, storage facilities, food services facilities and hotel and motel facilities used in connection with the Commission's Exhibit Facilities or Educational Facilities.

"Exhibit Facilities" shall mean facilities of the types provided for in the aforesaid Article 15, together with the land on which such facilities are located.

"Educational Facilities" shall mean, without limiting the generality of the foregoing, a building or buildings containing classrooms, offices, support facilities and teaching and exhibit facilities related to the exhibits of the Commission, dormitories and dining facilities for the accommodation of students located adjacent to or on the site of the Commission's exhibits, and the land on which such facilities are located.

Section 2. Purpose of Act and Construction Thereof. It is the intent of the Legislature, by the passage of this Act, to authorize the incorporation of a public corporation for the purposes of acquiring land, constructing and equipping Facilities, leasing such Facilities to the Commission (or others, to the extent provided for herein), and providing financing therefor, and to vest such corporation with all powers, authority, rights, privileges and titles that may be necessary to enable it to accomplish such purposes. This Act shall be liberally construed in conformity with the purpose herein stated.

Section 3. Incorporation of Authority. Any three individual citizens of the State selected for such purpose by the Commission and approved by the Governor of the State may become a public corporation with the power and authority provided in this Act by proceeding according to the provisions hereof.

Section 4. Application for Certificate of Incorporation. To become a corporation, the three individuals selected pursuant to Section 3 hereof shall present to the secretary of state of Alabama an application signed by them which shall set forth:

(1) The name and residence of each of the applicants, together with a certified copy of all documents evidencing each applicant's selection by the Commission and approval by the Governor;

(2) The name of the proposed corporation, which shall be the "Alabama Space Science Exhibit Finance Authority";

(3) The location of the principal office of the proposed corporation; and

(4) Any other matter relating to the incorporation of the proposed corporation which the applicants may choose to insert and which is not inconsistent with this Act.

The application shall be subscribed and sworn to by each of the applicants before an officer authorized by the laws of this State to take acknowledgements to deeds. The secretary of state shall examine the application, and if he finds that it substantially complies with the requirements of this section, he shall receive and file it and record it in an appropriate book of records in his office.

Section 5. Certificate of Incorporation. When the application has been made, filed and recorded as provided in section 4 hereof, the secretary of state shall make and issue to the applicants a certificate of incorporation pursuant to this Act, under the great seal of the State, and shall record the

certificate with the application, whereupon the applicants shall constitute a public corporation of the State under the name proposed in the application.

**Section 6. Members; Officers; Directors; Quorum; Vacancies; Salaries.** The applicants named in the application and their respective successors in office shall constitute the members of the Authority. At the time of initial selection by the Commission of the individual citizens to incorporate the Authority pursuant to Section 3 of this Act, the Commission shall designate one of such persons to serve an initial term of two years, one to serve an initial term of four years, and one to serve an initial term of six years. Each succeeding appointment of a member of the Authority thereafter shall be for a term of six years. The members shall be eligible to succeed themselves. The members shall select from among themselves a president of the Authority, a secretary of the Authority and a treasurer of the Authority. The members of the Authority shall constitute all the members of the board of directors of the Authority, which shall be the governing body of the Authority. A majority of the members of the said board of directors shall constitute a quorum for the transaction of business. Upon the expiration of the term of office of any member of the Authority or in the event any member of the Authority ceases to be a member of the Authority, by reason of death, resignation, removal of his residence from the State of Alabama or for any other reason, then the Commission shall, with the concurrence of the Governor, select a successor in office to take his place as a member of the Authority. No member, officer or director of the Authority shall draw any salary for any service he may render or for any duty he may perform in connection with the Authority, but may be reimbursed by the Authority for reasonable expenses incurred in carrying out the business of the Authority. No member, officer, director or employee of the Authority shall be personally liable for any debt, obligation or liability of the Authority.

**Section 7. Resolutions and Proceedings of Board of Directors.** All resolutions adopted by the board of directors shall constitute actions of the Authority, and all proceedings of the board of directors shall be reduced to writing by the secretary of the Authority, shall be signed by the members of the Authority and shall be recorded in a substantially bound book and filed in the office of the secretary of state. Copies of such proceedings, when certified by the secretary of the Authority under the seal of the Authority, shall be received in all courts as prima facie evidence of the matters and things therein certified.

**Section 8. Powers—Generally.** The Authority shall have the following powers among others specified in this Act:

(1) To have succession in its corporate name until the principal of and interest on all bonds issued by it shall have been fully paid and until it shall have been dissolved as provided herein;

(2) To maintain actions and have actions maintained against it and to prosecute and defend in any court having jurisdiction of the subject matter and of the parties thereof;

(3) To have and to use a corporate seal and to alter such seal at pleasure;

(4) To establish a fiscal year;

(5) To acquire and hold title to real and personal property and to sell, convey, mortgage or lease the same as provided in this Act;

(6) To provide for the construction, reconstruction, alteration and improvement of Facilities and for the procurement of sites and equipment for such Facilities and for the lease thereof;

(7) To lease Facilities to the State, the Commission or any other agency or instrumentality of the State designated to perform the activities of the Commission;

(8) To anticipate by the issuance of its Bonds, subject to the provisions of this Act, the receipt of the rent and revenues from such Facilities;

(9) As security for the payment of the principal of and interest on its Bonds, to enter into any lawful covenant, to grant mortgages upon or security interests in its Facilities and to pledge the rents and revenues from such Facilities;

(10) To appoint a bank or savings and loan association as a depository for funds of the Authority;

(11) To invest as provided in this Act the proceeds from the sale of its Bonds pending need therefor; and

(12) To appoint and employ such attorneys, agents and employees as the business of the Authority may require, subject to the merit system where applicable.

**Section 9. Eminent Domain.** The Authority shall have the same power of eminent domain as the State. Such power shall be exercised in the same manner and under the same conditions as is provided by law for the exercise of the power of eminent domain by the State.

**Section 10. Temporary Loans in Anticipation of Issuance of Bonds.** In anticipation of issuance of Bonds under this Act, the Authority may, from time to time, borrow such sums as may be needed for any of the purposes for which Bonds are authorized to be issued under this Act, and in evidence of the moneys so borrowed may issue its promissory notes. The principal of and the interest on notes so issued may, from time to time, be refunded by refunding notes or by Bonds in anticipation of the issuance of which such notes were issued. All such notes, whether initial issues or refunding issues, may bear interest from their dates until their maturities at such rate or rates as may be deemed acceptable by the board of directors, not to exceed 15 percent per annum, shall mature within three years from their date, and the principal thereof, premium, if any, and interest thereon shall be payable solely from the proceeds of the refunding notes issued to refund any such notes outstanding, the proceeds from the sale of Bonds in anticipation of the issuance of which any such notes were issued and the sources from which Bonds may be made payable pursuant to Section 20 of this Act, all as may be provided in the resolution of the board of directors under which such notes may be issued.

**Section 11. Execution of Bonds and Notes.** The Bonds and notes of the Authority shall be executed by the manual or facsimile signature of either its president or its treasurer, as shall be provided in the resolution under which such securities shall be issued, and the seal of the Authority or a facsimile thereof shall be affixed to any Bonds so issued and attested by the manual or facsimile signature of its secretary; provided, that if Bonds are executed entirely by facsimile, such Bonds shall be authenticated by the manual signature of the bond trustee, registrar or paying agent. If, after any of the Bonds shall be so signed, whether manually or by facsimile, any such

officer shall for any reason vacate his said office, the Bonds so signed may nevertheless be delivered at any time thereafter as the act and deed of the Authority.

Section 12. Bonds—Authorization. For the purpose of providing funds for the acquisition of sites, for the construction, reconstruction, alteration and improvement of Facilities, for the procurement and installation of equipment therefor and for payment of obligations incurred and the principal of and interest on any temporary loans made for any of the said purposes, the Authority is hereby authorized, from time to time, to sell and issue its Bonds (other than Refunding Bonds) in such aggregate principal amounts as may be determined by the board of directors of the Authority to be necessary for the said purposes.

Section 13. Sale and Issuance of Refunding Bonds. The Authority may, from time to time, sell and issue its Refunding Bonds for the purpose of refunding any matured or unmatured Bonds of the Authority at the time outstanding and paying any premiums necessary to be paid to redeem any such Bonds so to be refunded and all expenses incurred in connection therewith. Such Refunding Bonds shall be subrogated and entitled to all priorities, rights and pledges to which the Bonds refunded thereby were entitled.

Section 14. Specifications and Priority of Bonds. Any Bonds of the Authority may be executed and delivered by it at any time and from time to time, shall be in such form and denominations and of such tenor and maturities, shall bear such rate or rates of interest, fixed or floating, payable and evidenced in such manner, may contain provisions for redemption prior to maturity and may contain other provisions not inconsistent with this section, all as may be provided by the resolution of the board of directors whereunder such Bonds are authorized to be issued; provided that no bond of the Authority shall have a specified maturity date later than 30 years after its date. In the event that the Authority shall make more than one pledge of the same revenues, such pledges shall, unless otherwise provided in the resolution or resolutions authorizing the earlier issued Bonds, take precedence in the order of the adoption of the resolutions in which the pledges are made; provided, that each pledge for the benefit of Refunding Bonds shall have the same priority as the pledge for the benefit of the Bonds refunded thereby.

Section 15. Sale. Bonds of the Authority may be sold at such price or prices and at such time or times as the board of directors of the Authority may consider advantageous, at public or private sale. If Bonds are to be sold by competitive bid on sealed bids or at public auction, the Bonds may be sold only to the bidder whose bid reflects the lowest effective borrowing cost to the Authority for the Bonds being sold; provided, that if no bid acceptable to the Authority is received, it may reject all bids. Notice of each such sale by competitive bids shall be given by publication in either a financial journal or a financial newspaper published in the City of New York, New York, and also by publication in a newspaper published in the State of Alabama, each of which notices must be published at least one time not less than 10 days before the date fixed for such sale. The board of directors may fix the terms and conditions under which such sale by competitive bids may be held; provided that such terms and conditions shall not conflict with any of the requirements of this Act. The Authority may pay out of the proceeds of the sale of its Bonds all expenses, including publication and printing charges, fiscal agents' fees, attorneys' fees and other expenses which said board of

directors may deem necessary and advantageous in connection with the authorization, advertisement, sale, execution and issuance of such Bonds. Neither a public hearing nor consent of the State shall be a prerequisite to the issuance or sale of Bonds by the Authority.

**Section 16. Bonds of Authority Eligible for Investment of Trust Funds.** Any trust fund, where the investment thereof is permitted or required by law, may be invested in Bonds issued by the Authority. Unless otherwise directed by the court having jurisdiction thereof or the document which is the source of authority, a trustee, executor, administrator, guardian or one acting in any other fiduciary capacity may, in addition to any other investment powers conferred by law and with the exercise of reasonable business prudence, invest trust funds in the Bonds of the Authority.

**Section 17. Security for Deposit of Governmental Funds.** Any Bonds issued by the Authority may be used by the holders thereof as security for deposits of any funds belonging to the State or to any instrumentality, agency or political subdivision of the State in any instance where security for such deposits may be required or permitted by law.

**Section 18. Disposition of Proceeds of Bonds.** (a) All proceeds derived from the sale of any Bonds, except Refunding Bonds, sold by the Authority, remaining after payment of the expenses of issuance thereof, shall be held by the Authority and used solely for the purposes of:

(1) Acquiring land for and constructing, reconstructing and equipping thereon one or more Facilities;

(2) Paying all reasonable and necessary expenses incidental thereto, including filing, recording, surveying, legal and engineering fees and expenses;

(3) Paying the interest which will accrue on the said Bonds during the period required for the construction and equipment of the said Facilities and for a period not exceeding six months after the completion thereof; and

(4) Paying the principal of and interest on all then outstanding notes theretofore issued by the Authority pursuant to the provisions hereof.

The balance of the said proceeds thereafter remaining shall be set aside as additional security for the Bonds or shall be used to pay, purchase or redeem Bonds as may be provided in the proceedings authorizing their issuance.

(b) All proceeds from the sale of Refunding Bonds issued by the Authority that remain after paying the expenses of their issuance may be used only for the purpose of refunding the principal of and any unpaid and accrued interest on the outstanding Bonds of the Authority for the refunding of which the Refunding Bonds are authorized to be issued, together with any premium that may be necessary to be paid in order to redeem or retire such outstanding Bonds.

**Section 19. Investment of Proceeds.** Any portion of the principal proceeds derived from the sale of the Bonds which the board of directors of the Authority may determine is not then needed for any of the purposes for which the Bonds are authorized to be issued shall, on order of the Authority, be invested in such manner as the board of directors of the Authority shall direct in any securities which are direct and general obligations of the United States of America or the principal of and interest on which are unconditionally and irrevocably guaranteed by the United States of

America, or in certificates of deposit insured by an agency of the United States. Any such securities may, at any time and from time to time on order of the Authority, be sold or otherwise converted into cash. The income derived from any such investments shall be disbursed on order of the Authority for any purpose for which it may lawfully expend funds.

Section 20. Security. The principal of, premium, if any, and interest on the Bonds of the Authority shall be secured by any or all of the following, as the Authority may determine:

- (1) The rent and revenues from the lease or use of one or more Facilities of the Authority;
- (2) The proceeds from any sale of any Facilities of the Authority;
- (3) Any bond proceeds remaining unexpended upon completion of all Facilities to be constructed with such bond proceeds and the payment of the cost thereof;
- (4) Any insurance proceeds which the Authority may receive by reason of its ownership of any of the Facilities; and
- (5) Any mortgage upon or security interest in one or more Facilities of the Authority, granted in connection with the issuance of such Bonds.

The Authority shall have authority to transfer and assign any lease or mortgage of any of its Facilities as security for the payment of such principal, premium, if any, and interest. The Bonds may be issued under, and secured by, a resolution which may, but need not, provide for an indenture of trust covering one or more Facilities of the Authority. Such resolution or such indenture of trust may contain any provision or agreement customarily contained in instruments securing evidences of indebtedness, including, without limiting the generality of the foregoing, provisions respecting the collection and application of any receipts pledged to the payment of Bonds, the terms to be incorporated in lease agreements respecting the Facilities, the maintenance and insurance thereof, the creation and maintenance of reserve and other special funds from such receipts and the rights and remedies available in the event of default to the holders of the Bonds or to the trustee for the holders of the Bonds or under any indenture of trust, all as the Authority may deem advisable and as shall not be in conflict with the provisions of this Act; provided, however, that in making such agreements or provisions the Authority shall not have the power to obligate itself except with respect to its Facilities, and the application of the rents, revenues and other moneys and assets which it is authorized in this Act to pledge.

Section 21. Enforcement Upon Default. If there be any default by the Authority in the payment of the principal of or interest on the Bonds or in any of the agreements on the part of the Authority which may properly be included in any resolution or indenture of trust securing such Bonds, any holder of any of the Bonds or the trustee for the bondholders under any resolution or indenture of trust, if so authorized therein, may, by an action, mandamus or other proceedings, enforce payment of such items and foreclosure upon any mortgage or security interest granted as security for such Bonds and compel performance of all duties of the directors and officers of the Authority and shall be entitled, as a matter of right and regardless of the sufficiency of any such security or the availability of any other remedy, to the appointment of a receiver with all the power of such receiver for the maintenance, insurance and leasing of the Facilities and property covered by such resolution or such indenture of trust and the collection and application

of the receipts therefrom. Any such resolution or indenture of trust may contain provisions regarding the rights and remedies of any trustee thereunder and the holders of the Bonds and may contain provisions restricting the individual rights of action of the holders of the Bonds.

Section 22. Bonds and Coupons Deemed Negotiable Instruments. All Bonds issued by the Authority, while not registered, shall be construed to be negotiable instruments even though they are payable from a limited source. All coupons applicable to any Bonds issued by the Authority, while the applicable Bonds are not registered as to both principal and interest, shall likewise be construed to be negotiable instruments although payable from a limited source.

Section 23. Obligations, Bonds and Notes Not Debt of State. All obligations incurred by the Authority and all Bonds and notes issued by it shall be solely and exclusively an obligation of the Authority, payable solely from the sources which may under the provisions of this Act be pledged to the payment thereof. No obligation incurred by the Authority and no Bond or note issued by it shall create an obligation or debt of the State or of the Commission.

Section 24. Conveyance of Property by Commission; Right to Possession Thereof; Consideration Therefor. The Chairman of the Commission is authorized upon direction and authorization of the Commission to execute and deliver, at any time and from time to time, an appropriate deed or deeds conveying to the Authority:

(1) Any Facilities belonging to the Commission,

(2) Any unimproved real property belonging to the Commission which the Commission determines to be needed by the Authority for the construction of Facilities, and

(3) Any improved real property and any personal property associated therewith belonging to the Commission which the Commission determines to be needed by the Authority for the construction, reconstruction or improvement of Facilities, for such consideration as the Commission shall determine to be appropriate. No concurrence in the conveyance evidenced by any such deed by any State official or any other person or persons shall be necessary or prerequisite to the validity of any such conveyance.

Upon delivery of any such deed to the Authority, it thereby shall be invested with all right and title that the Commission had in the property conveyed thereby, subject to the right of reverter to the Commission of all such property upon the dissolution of the Authority provided for in Section 32 hereof. The Authority shall be entitled to immediate possession of all such property upon execution of the deed thereto.

Section 25. Facilities—Construction. All Facilities constructed by the Authority shall be constructed according to plans and specifications of architects or engineers, or both, selected by the Commission. Such plans and specifications shall be approved by the Authority.

Section 26. Leasing to Commission and Other Agencies.

(a) The Authority is hereby authorized to enter into a lease or leases of any one or more Facilities constructed, acquired, reconstructed, renovated or improved by the Authority under the provisions of this Act, to and with the Commission or any other agency of the State which may be charged



with the responsibility for the operation of the Commission's Facilities. The Commission and any such other agency of the State and each of them are hereby authorized to lease any such Facilities from the Authority. No such lease shall, however, be for a term longer than the then current fiscal year of the State, but any such lease may contain a grant to the Commission or any State agency of successive options of renewing said lease on the terms specified therein for any subsequent fiscal year or years of the State; provided, that liability for the payment of rent shall never be for a term longer than one fiscal year.

(b) Rent payments by the Commission, the State, or any of its agencies shall be due and payable not less often than once each fiscal year at such time or times as shall be specified in the lease respecting the Facilities leased and shall, upon being so paid, entitle the Commission, the State or such agency to quiet possession of the Facilities leased for such fiscal year. Said rent for such fiscal year shall be payable, and any such covenant with respect thereto on the part of the Commission, the State or any of its agencies (as the case may be) shall be performed, solely out of the current revenues of the Commission, the State or such agency for such fiscal year. The rent payable and the covenants to be performed by the Commission, the State or any of its agencies under the provisions of said lease shall never be deemed to create a debt of the State within the meaning of the Constitution.

(c) In the event that there shall be any default in the payment of any rent required to be paid or in the performance of any covenant required to be performed by the Commission, the State or any of its agencies under the provisions of any such lease, while such lease is in effect, the Authority and any pledgee of such lease may, by any appropriate proceedings instituted within the time permitted by law, enforce and compel the payment of such rent and the performance of such covenants. No free use shall be made of any Facilities of the Authority so long as the principal of or interest on any Bonds, including Refunding Bonds, issued by the Authority remains unpaid.

(d) In the event that any Facility of the Authority should become vacant or not be used by the Commission or one of the State agencies, then neither the Commission, the State nor any agency, board, bureau, commission, public corporation or department of the State shall rent, purchase, acquire, construct or lease any Facilities or renew any lease of any Facilities, nor shall it use any such Facilities other than those of the Authority, so long as any Facility of the Authority shall remain vacant or unused.

Section 27. County, Municipal Corporation, Agency of Federal Government, Etc. If at any time any Facility constructed or acquired by the Authority is, or is about to be, vacant or unused as a result of there being no lease for such Facility in effect for the current fiscal year, then, but only in such event, in order to prevent default on its Bonds, the Authority is hereby authorized to lease such Facility to any other agency, department, bureau or commission of the State, any municipal corporation, public corporation, county, or other public body in the State, or any agency of the federal government. Any such lease shall not be for the purpose of lending public credit but shall be solely to avoid default on the Authority's Bonds and to insure the prompt payment of the principal thereof and interest thereon when due.

Section 28. Special Funds. In the resolution or proceedings authorizing the issuance of any Bonds or any temporary loan or in any indenture of trust, the Authority may provide for the establishment of one or more special funds for the payment of the principal of, or interest on, the Bonds or notes,

one or more reserve funds therefor and a fund, or funds, for the payment of insurance premiums or other expenses with respect to the ownership and leasing of the Facilities. Any such special funds shall be held as trust funds pursuant to agreement with such trustee bank or banks as may be designated by the Commission. The Authority shall establish and maintain appropriate records pertaining to such funds. Such records shall be available at all reasonable times to public inspection.

Section 29. Exemption from Taxation. The properties of the Authority and the income therefrom, all lease agreements made by the Authority and all Bonds and promissory notes issued by the Authority, the interest thereon, the coupons, if any, applicable thereto, the income therefrom and all lien notices with respect thereto, and all purchases and uses of property by the Authority shall be forever exempt from any and all taxation in the State or in any county, municipality or political subdivision thereof.

Section 30. Venue for Actions. Any action to protect or enforce any rights under the provisions of this Act shall be brought in the circuit court of Madison County, Alabama.

Section 31. Fees of Secretary of State. There shall be no fees paid to the secretary of state for any work done in connection with the incorporation or dissolution of the Authority.

Section 32. Dissolution. When all Bonds and securities issued by the Authority and all obligations assumed by it under the provisions of this Act shall have been paid in full, the then president of the Authority may thereupon execute and deliver in the name of, and in behalf of, the Authority an appropriate deed or deeds, to which the seal of the Authority shall be affixed and attested by the secretary of the Authority, conveying all Facilities, properties and other assets then owned by the Authority to the Commission, or such agency of the State as shall at the time have succeeded to the rights and duties of the Commission. The then directors of the Authority may at such time file with the secretary of state a written statement, subscribed and sworn to by each of them, reciting the payment in full of all Bonds theretofore issued by the Authority and the execution and delivery of such deed or deeds, which statement shall be filed by the secretary of state and recorded with the certificate of incorporation of the Authority, and thereupon the Authority shall stand dissolved.

Section 33. Exemption of Leases of Facilities from Competitive Bid Laws. All leases of Facilities made by the Authority shall be exempt from the provisions and requirements of chapter 16 of Title 41 of the Code.

Section 34. Exemption from Sunset Law. The Authority shall not be governed by the provisions of chapter 20 of Title 41 of the Code (originally enacted as Act No. 512 of the 1976 Regular Session of the Legislature of Alabama).

Section 35. Severability. In the event any section, sentence, clause or portion of this Act should be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any of the remaining sections, sentences, clauses or portions of this Act, which shall continue effective.

Section 36. Effective Date. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

REGULAR SESSION  
23rd Day

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Which was adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Little	
Bailey	Covington	Goodwin	Menton	
Bedford	deGraffenried	Hand	Parsons	
Bennett	Dixon	Horn	Smith (B)	
Cabaniss	Ellis	Langford		—18

*Nays:* —0

And said Bill, S. B. 547, as thus amended by the substitute, was read a third time at length and sent forthwith to the House upon engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Menton	
Amari	Covington	Hand	Parsons	
Bedford	Dixon	Horn	Smith (B)	
Bedsole	Ellis	Langford	Smith (J)	
Bennett	Foshee	Little		—18

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

On motion of Senator Corbett, the Rules were suspended and the B. I. R., S. B. 140, was adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Holmes	Parsons	
Amari	Corbett	Horn	Smith (B)	
Bedford	Covington	Langford	Smith (J)	
Bedsole	Goodwin	Little	Strong	
Bennett	Hand	Menton		—18

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

Senator Corbett requested and received permission to suspend the Rules in order to bring up the Bill:

S. 140. To require any person or legal entity desiring to operate an amusement attraction or amusement ride in the state to make application for and obtain a permit to do so; to require proof of liability insurance coverage for personal injury and property damage as a condition of obtaining such permit; to provide definitions; to provide for annual fees and the disposition of fees; to provide exemptions; to require inspection of rides and attractions; to provide for emergency permits; to authorize the insurance commissioner to make rules to implement the act; to provide penalties for violations; and to provide for an effective date.

And said Bill, S. B. 140, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Goodwin	Little	
Aldridge	Cooley	Hand	Menton	
Amari	Corbett	Holmes	Parsons	
Bedsole	Ellis	Horn	Smith (B)	
Bennett	Foshee	Langford		—18

*Nays:* —0

Senator Goodwin requested and received permission to suspend the Rules in order to bring up the Bill:

S. 474. To amend Sections 5-19-1, 5-19-4, 5-19-10, and 5-19-20, Code of Alabama 1975, which relate to the regulation of extensions of credit, so as to exclude from the definition of "finance charge" premiums for insurance in lieu of perfecting a security interest and certain fees and charges if bona fide and reasonable in amount in transactions secured by real property; to limit the maximum charge to the debtor for insurance to the authorized premiums permitted for such coverages.

And said Bill, S. B. 474, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Ellis	Little	
Aldridge	Cooley	Goodwin	Menton	
Bedford	Corbett	Hand	Sanders	
Bedsole	Covington	Holmes	Smith (B)	
Bennett	deGraffenried	Langford		—18

*Nays:* —0

Senator Bedford requested and received permission to suspend the Rules in order to bring up the Bill:

S. 562. To provide further for the regulation, control, abatement and prevention of environmental problems in the state, including problems resulting from air and water pollution, solid and hazardous waste management activities, coastal area activities, the supply of drinking water, water well drilling and the operation of water and wastewater treatment plants. Specifically, this Act amends Section 22-22A-5, Code of Alabama 1975, as amended, to authorize the Alabama Department of Environmental Management to issue administrative orders assessing civil penalties for violation of laws which it administers; to provide against certain duplicate and repetitive administrative penalties; to authorize the Alabama Department of Environmental Management or Attorney General to commence civil actions to recover penalties for such violations; and to require that such penalties be deposited to the credit of the general fund; to authorize the Alabama Department of Environmental Management, Attorney General or District Attorneys to commence civil actions to enjoin violations of laws administered by the Alabama Department of Environmental Management; to clarify the authority of the

Alabama Department of Environmental Management to enforce the provisions of laws which it administers and to issue licenses. This Act also amends Section 22-22A-7, Code of Alabama 1975, as amended, to provide that administrative action which was or could have been reviewed by the Environmental Management Commission shall not be subject to judicial review in civil or criminal enforcement proceedings; to provide for appeals of rules or regulations based on grounds arising after promulgation of such rules and regulations; to provide for prompt appeals to circuit court. This Act also amends Section 22-22A-11, Code of Alabama 1975, as amended, relating to the Alabama Department of Environmental Management Fund to allow for deposit of fines and penalties into the general fund. This Act also amends Sections 9-7-22, 22-22-9, 22-28-22 and 22-23-52, Code of Alabama 1975, as amended, to repeal provisions relating to civil actions for the recovery of penalties and injunctive relief. This Act also amends Section 22-22-9, Code of Alabama 1975, as amended, to clarify that enforcement provisions are applicable to permits and orders issued by the Alabama Department of Environmental Management; to clarify that certain provisions apply to pollutants as well as sewage, industrial wastes or other wastes; to clarify existing subpoena powers; and to modify the notice requirements for water quality standards. This Act also amends Section 22-22-14, Code of Alabama 1975, as amended, to provide further for the punishment of persons who are convicted of a violation committed after a first conviction. This Act also amends Section 22-28-22, Code of Alabama 1975, as amended, to clarify existing subpoena powers. This Act also amends Section 22-28-23, Code of Alabama 1975, as amended, to provide that local air pollution programs may adopt provisions for administrative assessment of civil penalties and issue permits in lieu of permits from the Department. This Act also amends Section 22-30-19, Code of Alabama 1975, as amended, to repeal provisions relating to administrative assessment of penalties; to permit representatives of the Alabama Department of Environmental Management to enter premises, including transportation facilities, for purposes related to the administration of the Hazardous Wastes Management Act of 1978, including inspection and copying of records required to be maintained; to make criminal a culpable omission in an application, label, manifest, record, report, permit or document and the destruction, alteration, concealment or failure to maintain or file certain documents; and to increase the fines for criminal offenses. This Act also makes clear the legislative intention that the Alabama Department of Environmental Management provide notice in the manner prescribed by those laws made expressly applicable to it.

And said Bill, S. B. 562, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Aldridge	Corbett	Hand	Parsons
Bedford	Covington	Holmes	Sanders
Bedsole	deGraffenried	Horn	Smith (B)
Bennett	Ellis	Little	
Cañaniss			

—19

Nays:

—0

## BUDGET ISOLATION RESOLUTION

On motion of Senator Little, the Rules were suspended and the B. I. R., S. B. 279, was adopted.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Menton	
Aldridge	Cooley	Hand	Parsons	
Bedford	Corbett	Holmes	Sanders	
Bedsole	Covington	Langford	Smith (B)	
Bennett	Ellis	Little	Smith (J)	—19
<i>Nays:</i>				—0

**BILLS ON THIRD READING RESUMED**

Senator Little requested and received permission to suspend the Rules in order to bring up the Bill:

S. 279. To establish the Revenue Forecast Control Commission to project anticipated state revenue and to advise the legislature.

And said Bill, S. B. 279, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cooley	Hand	Sanders	
Bailey	Corbett	Langford	Smith (B)	
Bedsole	Covington	Little	Smith (J)	
Bennett	deGraffenried	Menton	Strong	
Cabaniss	Ellis	Parsons		—18
<i>Nays:</i>				—0

Senator Hand requested and received permission to suspend the Rules in order to bring up the Bill:

S. 388. Proposing an amendment to the Constitution of Alabama 1901, providing that any local, general or special bill which impacts on the revenues of a particular county shall be voted on throughout the legislative process only by those members of the legislature who represent either all or a portion of the affected county.

having been postponed subject to the call of the Chair on the Twenty-First Legislative Day.

Senator Hand offered the following substitute for the Bill, S. B. 388, to-wit:

**SUBSTITUTE FOR S. B. 388****A BILL  
TO BE ENTITLED  
AN ACT**

Proposing an amendment to the Constitution of Alabama 1901, providing that any local, general or special bill which reduces the revenues of only Baldwin County shall be voted on throughout the legislative process only by those members of the legislature who represent either all or a portion of said county.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 1901 is proposed and shall become valid as a part of the Constitution when all requirements of Amendment 425 of the Constitution of Alabama of 1901 are fulfilled:

**PROPOSED AMENDMENT**

All other provisions of this constitution to the contrary notwithstanding, any local, general or special bill which reduces the revenues of only Baldwin County shall be voted on throughout the legislative process only by those members of the legislature who represent all or a portion of Baldwin County.

Section 2. The provisions of this amendment shall have no force and effect unless it shall first be unanimously approved by at least three-fifths vote of the elected members of each house and unanimously approved by the local constitutional amendment commission.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in each newspaper qualified to run legal notices in the county affected.

Section 4. An election upon the proposed amendment is ordered to be held at the next general, special, constitutional or county election in Baldwin County. The election shall be held in accordance with the provisions of Amendment 425 to the Constitution of 1901, and the general election laws of this state.

Senator Menton moved that further consideration of the Bill, S. B. 388, and pending substitute be postponed temporarily.

On motion of Senator Hand, the motion to postpone was laid on the table.

And on motion of Senator Hand, further consideration of the Bill, S. B. 388, and pending substitute, was postponed subject to the call of the Chair.

**BUDGET ISOLATION RESOLUTION**

On motion of Senator Hand, the Rules were suspended and the B. I. R., S. B. 446, was adopted.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Cabaniss	Ellis	Langford	
Aldridge	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Parsons	
Bailey	Covington	Hand	Smith (J)	
Bennett	deGraffenried	Horn	Strong	—19

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

Senator Hand requested and received permission to suspend the Rules in order to bring up the Bill:

S. 446. To amend Section 40-17-224 of the Code of Alabama 1975, relating to use of certain gas tax proceeds for highway purposes, so as to provide further for such use by certain municipalities.

And said Bill, S. B. 446, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Cabaniss	Ellis	Langford	
Aldridge	Cooley	Foshee	Menton	
Bailey	Corbett	Goodwin	Parsons	
Bedford	Covington	Hand	Sanders	
Bedsole	deGraffenried	Horn	Strong	
Bennett				—20

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

On motion of Senator Langford, the Rules were suspended and the B. I. R., S. B. 35, was adopted.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Bennett	Dixon	Horn	
Aldridge	Cabaniss	Ellis	Langford	
Amari	Cooley	Foshee	Little	
Bailey	Covington	Goodwin	Menton	
Bedford	deGraffenried	Hand	Parsons	—19

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

Senator Langford requested and received permission to suspend the Rules in order to bring up the Bill:

S. 35. To amend Sections 11-46-21, 11-46-22, 11-46-25, 11-46-26, 11-46-27, 11-46-36, 11-46-40, 11-46-51, and 11-43-2, Code of Alabama 1975, so as to establish the dates of municipal elections in certain cities or towns having mayor-council form of government and to establish dates and other procedures required in connection with such elections.

And said Bill, S. B. 35, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.



REGULAR SESSION  
23rd Day

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Yeas 16; Nays 1.

Abstaining 1.

*Yeas:*

Senators:	Covington	Foshee	Little	
Aldridge	deGraffenried	Goodwin	Menton	
Amari	Dixon	Horn	Parsons	
Bennett	Ellis	Langford	Sanders	
Cabaniss				—16

*Nay:* Senator Bailey —1

*Abstaining:* Senator Hilliard —1

**BILLS ON THIRD READING RESUMED**

Senator Foshee requested and received permission to suspend the Rules in order to bring up the Bill:

S. 5. To prescribe a period of time in the public schools not to exceed fifteen minutes for study of the formal procedures followed by the United States Congress, which study shall include a reading verbatim of one of the opening prayers given by either the House or Senate Chaplain at the beginning of a meeting of the United States House or Senate.

And said Bill, S. B. 5, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Langford	
Aldridge	Corbett	Goodwin	Little	
Amari	Covington	Hand	Menton	
Bailey	deGraffenried	Hilliard	Parsons	
Bedsole	Dixon	Horn	Teague	
Bennett	Ellis			—21

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

On motion of Senator Bedsole, the Rules were suspended and the B. I. R., S. B. 339, was adopted.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Langford	
Aldridge	Corbett	Goodwin	Little	
Amari	Covington	Hand	Menton	
Bailey	deGraffenried	Hilliard	Parsons	
Bedsole	Dixon	Horn	Strong	
Bennett	Ellis			—21

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

Senator Foshee requested and received permission to suspend the Rules in order to bring up the Bill:

S. 339. To provide further for the compensation of certain professors and instructors at state four-year institutions of higher learning.

On motion of Senator Foshee, further consideration of the Bill, S. B. 339, was postponed subject to the call of the Chair.

**BUDGET ISOLATION RESOLUTION**

On motion of Senator Bennett, the Rules were suspended and the B. I. R., S. B. 208, was adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Aldridge	Corbett	Goodwin	Parsons	
Amari	Covington	Hand	Sanders	
Bailey	Dixon	Langford	Strong	
Bennett	Ellis	Little		—18

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

Senator Bennett requested and received permission to suspend the Rules in order to bring up the Bill:

S. 208. To appropriate funding for the creation of the "Alabama Hazardous Waste Cleanup Fund", to provide that such fund shall be used for the cleanup and restoration of abandoned or inactive sites at which improper disposal of hazardous substances has occurred, resulting in the potential for deleterious impacts on the health and welfare of the citizens of the state, as well as on the state's natural, environmental, and biological systems; to plan and undertake the rehabilitation, removal, and cleanup of hazardous substances deposited improperly at sites located within this state; to provide that this fund shall be used for sites not qualified for or unlikely to receive funding from the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (Public Law 96-510); to provide that the fund shall be administered by the Alabama Department of Environmental Management; to provide that the sites within this state shall be ranked according to their relative threat and the fund applied to those sites in the order of that ranking; to direct the Alabama Department of Environmental Management to secure other funds whenever possible and thereby provide for future appropriations for the "Alabama Hazardous Waste Cleanup Fund."

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, S. B. 208, to-wit:

**SUBSTITUTE FOR S. B. 208****A BILL  
TO BE ENTITLED  
AN ACT**

To appropriate funding for the creation of the "Alabama Hazardous Substance Cleanup Fund," to provide that such fund shall be used for the

cleanup and restoration of abandoned or inactive sites at which improper disposal of hazardous substances has occurred; to plan and undertake the rehabilitation, removal and cleanup of hazardous substances deposited improperly at sites located within Alabama; to provide that this fund shall be used for sites not qualified for or unlikely to receive funding for cleanup from funds designated for cleanups under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. §§9601 et seq.) and to provide state matching funds for cleanups under the Comprehensive Environmental Response, Compensation and Liability Act of 1980; to provide that the fund shall be administered by the Alabama Department of Environmental Management; to provide that the sites within the state shall be ranked according to their relative threats and the fund applied to the sites in the order of that ranking; to direct the Alabama Department of Environmental Management to secure other funds whenever possible and to provide for future appropriations to the fund.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1.

The Legislature finds that hazardous substances have been disposed of at sites which are inactive or abandoned and that such inactive or abandoned sites have the potential for deleterious impacts on groundwater, human or animal health or the environment. The Legislature, therefore, declares that it is in the public interest to assure that such sites are identified and that action is taken to provide for the cleanup and rehabilitation of such sites within the state of Alabama. The Legislature intends that funds provided under this Act be used primarily to cleanup and rehabilitate sites not qualified for or unlikely to receive funding under the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. §§9601 et seq.) but that funds provided under this Act may also be used to provide state matching funds for cleanups under the Comprehensive Environmental Response Compensation and Liability Act of 1980.

Section 2.

When used in this Act and except where the context prohibits, the following words and terms shall have the following meanings:

(1) Commission. The Alabama Environmental Management Commission as created by Code of Alabama 1975, §22-22A-6.

(2) Department. The Alabama Department of Environmental Management as created by Code of Alabama 1975, §22-22A-4.

(3) Director. The director of the Alabama Department of Environmental Management.

(4) Fund. The Alabama Hazardous Substance Cleanup Fund.

(5) Hazardous substance. Any substance defined as a hazardous substance pursuant to 42 U.S.C. §9601(14) or listed as a hazardous waste pursuant to Code of Alabama 1975, §22-30-10.

(6) Hazardous substance site. Any site, location or structure used for storage of final placement of hazardous substances, including, but not limited to, dumps, landfills, lagoons and treatment ponds.

(7) Inactive or abandoned hazardous substance site. Any hazardous substance site for which no valid permit or authorization from the department

or a federal agency for the disposal or storage of hazardous substances was effective on the effective date of this Act, or for which a permit or authorization from the department or a federal agency for the disposal or storage of hazardous substances is revoked or expires and is not reissued after the effective date of this Act.

(8) Liable party. Any person who:

a. Is the owner or former operator of an inactive or abandoned hazardous substance site.

b. At the time of disposal, owned or operated a hazardous substance disposal site which has become inactive or abandoned;

c. Generated a waste disposed of at a site which has become inactive or abandoned; or

d. Transported waste for disposal to a site which has become inactive or abandoned.

(9) All other terms used in this Act shall be defined as such terms are defined in Code of Alabama 1975, §22-30-3, as amended.

#### Section 3.

(a) There is hereby established within the general fund a special agency account to be known as the "Alabama Hazardous Substance Cleanup Fund."

(b) The fund shall be initially endowed with an appropriation in the amount of \$40,000 for the start-up and administrative costs necessary to implement this Act.

(c) In addition to the appropriations heretofore made, there is hereby conditionally appropriated from the State General Fund for the fiscal year ending September 30, 1987, the sum of \$300,000 to be used solely for the purpose of cleanup operations of hazardous substance sites according to a priority ranking system developed by the department, and to be used as matching funds to allow cleanups under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. §§9601 et seq.), such funds to be released on a project-by-project basis on recommendation of the director and approval by the governor.

(d) Any unencumbered funds and any unexpended balance of this fund remaining at the end of any fiscal year shall not revert to the general fund, but shall be carried forward until expended in accordance with the provisions of this Act.

(e) Interest accruing on investments and deposits of the fund shall be returned to the fund and remain a part of the fund.

(f) All civil penalties and recovery of expenses collected pursuant to this Act shall be deposited in the fund.

#### Section 4.

Each department, agency, or instrumentality of the Executive, Legislative, and Judicial Branches of the Federal Government and the state government shall be subject to, and comply with, this Act in the same manner and to the same extent, both procedurally and substantively, as any non-governmental entity.

Section 5.

(a) In relation or addition to the powers set forth in this section and any other provisions of this code, the department is empowered, with regard to the regulation, control, or removal of hazardous substances at inactive or abandoned hazardous substance sites, as follows:

(1) To respond to, direct, or initiate cleanup of inactive or abandoned hazardous substance sites;

(2) To conduct or contract for professional technical data gathering and analysis and damage assessment; and

(3) To conduct or contract for the removal of hazardous substances from inactive or abandoned hazardous substance sites where there has been or is a potential for release, regardless of quantity or concentration, which could pose a threat to public health or environment.

(b) The fund shall be available to the department for expenditures solely for the purpose of providing for the identification, investigation, and for the reasonable and safe containment and cleanup, including monitoring and maintenance of inactive or abandoned hazardous substance sites within the state as provided in this Act.

(c) The department may enter into such contracts and use the fund for those purposes directly associated with identification, investigation, containment and cleanup, including monitoring and maintenance, prescribed above including:

(1) hiring of consultants and personnel;

(2) purchase, lease or rental of necessary equipment; and/or

(3) other necessary expenses.

(d) The fund shall not be used for hiring personnel for continuing programs of the department or for ongoing research activities not directly related to the purpose of this Act.

Section 6.

(a) Whenever the director finds that any hazardous substance at an inactive or abandoned site constitutes a threat to the environment or poses or may pose a danger to human health or the environment because of the release or threatened release of hazardous substances, he shall:

(1) Order the liable party or parties to develop a Hazardous Substance Cleanup Plan, rules for which shall be promulgated by the department, detailing how the liable party will investigate, identify, contain and cleanup the site, including post-cleanup monitoring and maintenance of the site;

(2) Order the liable party to implement the plan, subject to approval by the department, within a reasonable time as specified in the order;

(3) Provide a 30-day public comment period on the plan in the county where the site is located, provided that, such public comment period may be waived if such delay would significantly increase the threat to human health or the environment. Notice of the public comment period shall be given by a one-time publication in a newspaper of general circulation in the county where the site is located;

(4) Mail a copy of any public notice required under this Act to the governing body of the county or municipality where the site for which the notice is given is located and to persons requesting notice of such comment periods; and

(5) Any person who does not comply with any final order under this section shall be subject to the penalties provided in section 12 of this Act.

(b) No order may be issued under this section until the liable party is provided notice and an opportunity for an informal hearing before the department. Provided, however, that whenever the director, after investigation, finds that the threat to human health or the environment is imminent, the director may issue the order without a hearing.

(c) Whenever the liable party fails to comply with an order to develop a Hazardous Substance Cleanup Plan for a site, the department shall, contingent upon adequate funding under this Act being available to the Department, develop such a plan. The reasonable expenses of developing the plan by the department shall be paid by the liable party. This reimbursement of expenses is in addition to any penalties assessed under section 12 of this Act.

(d) Whenever the liable party fails to comply with an order to implement a Hazardous Substance Cleanup Plan for a site, the department shall, contingent upon adequate funding under this Act being available to the Department, implement such a plan. The reasonable expenses of implementing the plan by the department shall be paid by the liable party. This reimbursement of expenses is in addition to any penalties assessed under section 12 of this Act.

(e) In the event that no liable party can reasonably be identified, or if the liable party cannot be contacted within a reasonable time, or if there is an imminent threat to human health or the environment, the department shall, contingent upon adequate funding under this Act being available to the Department, develop and implement a Hazardous Substance Cleanup Plan. The reasonable expenses of developing and implementing such plan shall be paid by the liable party, if identified. This reimbursement of expenses is in addition to any penalties assessed under Section 12 of this Act.

(f) Orders issued under this section may be appealed as provided in Code of Alabama 1975, §22-22A-7(c).

(g) The department is authorized to recover expenses as set out in this section in the circuit court in the county where any liable party resides or conducts business or in the county where the hazardous substance site is located.

#### Section 7.

(a) In determining the scope, nature and content of a Hazardous Substance Cleanup Plan the director shall evaluate reasonable alternatives and select those actions which he determines are necessary to protect human health and the environment. The goal of any pertinent action shall be cleanup and containment of the site through the elimination of the threat to the human health and the environment posed by the hazardous substance. In choosing the necessary actions at each site, the director shall consider the following factors:

(1) The technological feasibility of each alternative;

- (2) The cost effectiveness of each alternative;
  - (3) The nature of the danger to human health and the environment posed by the hazardous substance at the site;
  - (4) The extent to which each alternative would achieve the goal of this subsection; and
  - (5) The National Contingency Plan promulgated pursuant to 42 U.S.C. §9605.
- (b) The department shall rank identified hazardous substance sites according to each site's potential threat to human health and the environment. Such ranking shall be treated as a rule promulgation as provided in Code of Alabama 1975, §22-22A-8. The list shall be revised as needed but shall be reviewed by the commission annually. In addition to any notice required under §22-22A-8, notice of the proposed rule shall be provided to the governing body of each municipality or county in which any site is located.

Section 8.

(a) The director shall, on or before January 1, 1987, and annually thereafter on January first of each succeeding year, transmit an updated Annual Report to the commission, the legislature, and the governor identifying every hazardous substance disposal site which the state has ranked. The Annual Report shall also be sent to the governing body of every municipality or county containing a ranked site, and shall be available to the public for inspection.

(b) Each Annual Report shall include, but need not be limited to, the following information for each site:

(1) A general description of the site, including the name and address of the site, the type and quantity of the hazardous substance disposed of at the site if known, and the name of the current owners of the site;

(2) A summary of any significant environmental problems at and near the site; the site's proximity to public or private drinking water supplies, or other water supplies;

(3) The clear identification of the site on a map;

(4) The status of any testing, monitoring or remedial actions in progress or recommended by the director;

(5) The status of any pending legal and administrative actions and any federal, state or local government permits concerning the site;

(6) The relative priority for remedial action at each site;

(7) The proximity of the site to private residences, public building or property, school facilities, places of work or other areas where individuals may be regularly present;

(8) All costs incurred pursuant to the implementation of this Act by the department or any other party;

(9) Estimated future costs to be incurred pursuant to the implementation of this Act by the department or any other party; and

(10) An indication of any citizen participation.

## Section 9.

(a) Liable parties shall be liable to the state for amounts expended for the investigation, identification, containment and cleanup of hazardous substance sites, including monitoring, maintenance, legal and administrative costs.

(b) The Department, through the Attorney General, shall act to recover the amounts expended by the state from all identified liable parties for the expenses identified in subsection (a) of this section.

(c) No liable party shall be responsible for more than that party's proportional share of the amount expended by the Department for each site. Any expenditures required by this Act made by a liable party shall be credited toward their liability under this Act.

(d) In no event shall the total recovery from liable parties exceed the amount expended from the fund, except that penalties, may be recovered in addition to the amount expended from the fund.

(e) If evidence is insufficient to allow apportionment of the expenses among liable parties, the Department shall establish those portions of the expenditures attributable to each liable party and the appropriate circuit court shall apportion the remaining expenditures among the liable parties and the fund.

(f) Any expenses not attributable to a liable party shall be paid from the fund.

(g) All expenditures recovered from liable parties shall be deposited in the fund.

(h) The department shall also exhaust any applicable liability insurance or other financial assurance mechanisms which have been provided by the liable party or parties to ensure that the fund is not depleted where monies are available from liable parties.

## Section 10.

No person shall be liable under this Act for damages as a result of actions taken or omitted in the course of rendering care, assistance, or advice at the direction of an on-scene coordinator appointed by the Director, with respect to an incident creating a danger to public health or welfare or the environment as a result of any release of a hazardous substance or the threat thereof. This section shall not preclude liability for damages as the result of gross negligence or willful misconduct on the part of such person. For the purposes of the preceding sentence, reckless, willful, or wanton misconduct shall constitute gross negligence. Provided, however, that no person whose act or omission caused the actual or threatened danger may be relieved of liability under this provision if that person is otherwise liable.

## Section 11.

The director or his designee shall have the right to enter upon any property at reasonable times upon which an inactive or abandoned hazardous substance site is located and any other property which must be entered to have access to the site or to perform or cause to be performed all actions necessary to carry out the provisions of this Act. Entry shall be construed as an exercise of the police power and shall not be construed as an act of condemnation of property or of trespass.



Section 12.

In addition to any other powers and functions which may be conferred upon it by law, the department is authorized to:

(1) Issue an order assessing a civil penalty against any liable party who violates any provision of this Act, any rule, regulation or standard promulgated under authority of this Act or any provision of any order issued under authority of this Act, provided however, that no such order shall be issued if a civil action to recover a penalty for such violation has been commenced as provided herein. The department or attorney general may commence a civil action in the circuit court of the county in which any liable party resides or does business or in which the hazardous substance site is located to recover a penalty against any liable party, provided however, that no such civil action shall be commenced if an order assessing a penalty has been issued as provided herein. Any such civil penalty shall not be less than \$100 nor exceed \$25,000 for each violation, provided however, that the total penalty assessed in an order issued by the Department under this subsection shall not exceed \$250,000. Each day a violation continues shall constitute a separate violation for purposes of this subsection. In determining the amount of any penalty, consideration shall be given to the seriousness of the violation, including any irreparable harm to the environment and any threat to human health; the standard of care manifested by the liable party; the economic benefit which delayed compliance may confer upon such liable party; the nature, extent and degree of success of such liable party's efforts to minimize or mitigate the effects of such violation upon the environment; such liable party's history of previous violations; and the ability of such liable party to pay such penalty. Civil penalties may be assessed under this subsection for any violation occurring within two years prior to the date of issuance of such order or commencement of such civil action. Any person having an interest which is or may be adversely affected may intervene as a matter of right under this subsection. Any order issued under this subsection shall include findings of fact relied upon by the Department in determining the alleged violation and the amount of the civil penalty and may be served in the manner provided for service of process in the Alabama Rules of Civil Procedure. Not later than 15 days after issuance of any such order, notice thereof shall be published for one day in a newspaper of general circulation in the county where the hazardous substance site is located. Where the Department has issued an order finding that a violation has occurred and assessing a civil penalty, the liable party subject thereto shall pay the penalty in full within 30 days after issuance of such order unless such liable party has filed a timely request for a hearing to contest the issuance of such order in accordance with Code of Alabama 1975, §22-22A-7, in which case the penalty assessed in the order as approved or modified by the Commission shall be paid in full within 30 days after the order is approved or modified by the Commission or, if an appeal thereof is taken to circuit court, within 42 days after the court affirms the order as approved or modified by the Commission. An order shall not be issued under this subsection the liable party subject thereto has been afforded an opportunity for an informal conference with the director or his designated representative concerning the alleged violation and penalty assessment. Civil penalties assessed in an order under this subsection and not paid as provided herein may be recovered in a civil action brought by the department in the circuit court of Montgomery County or the county in which the liable party does business. All civil penalties recovered under this subsection shall be deposited into the state treasury to the credit of the fund, except that portion which represents the reasonable costs incurred by the department or attorney general to recover

such penalties which shall be deposited to the credit of the operating fund of the department or attorney general, whichever incurred such costs.

(2) Commence a civil action in the circuit court of the county in which the liable party resides or does business or in which the hazardous substance site is located to enjoin any threatened or continuing violation of this Act, any rule, regulation or standard promulgated under authority of this Act or any provision of any order issued under authority of this Act. The attorney general or district attorney having jurisdiction in the circuit, county or territory in which the threatened or continuing violation occurs may also commence a civil action to enjoin such violation. In such action, any person having an interest which is or may be affected may intervene as a matter of right.

### Section 13.

The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

### Section 14.

This Act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Bailey	Dixon	Horn	Sanders	
Bennett	Ellis	Langford	Strong	
Cooley	Foshee	Little		—18

*Nays:* —0

And said Bill, S. B. 208, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Little	
Aldridge	Corbett	Goodwin	Menton	
Amari	Covington	Hand	Parsons	
Bailey	Dixon	Horn	Sanders	
Bennett	Ellis	Langford	Strong	—19

*Nays:* —0

## BUDGET ISOLATION RESOLUTION

Senator Ellis, B. I. R., S. B. 438, adopted.

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Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Parsons	
Aldridge	Covington	Goodwin	Sanders	
Bailey	deGraffenried	Horn	Smith (B)	
Bennett	Dixon	Little	Teague	
Cooley	Ellis	Menton		—18

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

Senator Ellis requested and received permission to suspend the Rules in order to bring up the Bill:

S. 438. To revise the law on redemption of real estate and provide: definitions; who may redeem and priorities; to extend rights to executors and administrators; to characterize the rights of redemption; demand for statement of debt and lawful charges by person entitled to redeem; payment or tender of purchase money and other lawful charges, with interest; payment of value of permanent improvements and how the value of improvements are ascertained; provisions for when there is a failure or refusal of a purchaser to recover title; the settlement and adjustment of rights and equities by a circuit court when a complaint is filed; and when a right to redeem does not exist. To apply only to mortgages foreclosed after the effective date of this act which is July 1, 1986. To repeal Alabama Code Sections 6-5-230 through 6-5-246 as amended.

And said Bill, S. B. 438, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Cooley	Ellis	Little	
Aldridge	Corbett	Goodwin	Menton	
Amari	Covington	Hand	Parsons	
Bailey	deGraffenried	Horn	Sanders	
Bennett	Dixon	Langford	Strong	—19

*Nays:* —0

**BUDGET ISOLATION RESOLUTIONS**

On motion of Senator Menton, the Rules were suspended and the B. I. R., S. B. 180, was adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Amari	deGraffenried	Horn	Sanders	
Bailey	Ellis	Langford	Strong	
Bedsole	Figures	Little		—18

*Nays:* —0

Senator Covington, B. I. R., S. B. 201, adopted.

Yeas 18; Nays 0.

Abstaining 1.

*Yeas:*

Senators:	Covington	Goodwin	Menton	
Aldridge	deGraffenried	Hand	Parsons	
Bailey	Dixon	Horn	Sanders	
Bennett	Ellis	Langford	Smith (J)	
Cooley	Figures	Little		—18

*Nays:* —0

*Abstaining:* Senator Strong —1

### BILLS ON THIRD READING RESUMED

Senator Covington requested and received permission to suspend the Rules in order to bring up the Bill:

S. 201. To provide additional remedies to the Interstate Compact on Juveniles by permitting a state in which a juvenile is charged with being delinquent by reason of violating any criminal law to requisition said juvenile from another state.

And said Bill, S. B. 201, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Little	
Aldridge	Covington	Goodwin	Menton	
Amari	deGraffenried	Hand	Parsons	
Bailey	Dixon	Horn	Sanders	
Bennett	Ellis	Langford	Smith (J)	—19

*Nays:* —0

### MOTION TO ADJOURN

Senator Langford moved that when the Senate adjourns today, it adjourn to meet again on Tuesday, April 1, 1986, at 12:01 P.M., which motion was adopted.

### BILLS ON THIRD READING RESUMED

Senator Menton requested and received permission to suspend the Rules in order to bring up the Bill:

S. 180. To provide circumstances when a person shall be guilty of committing the crime of submitting a false or fraudulent application for a certificate of qualification or license to practice medicine; to provide that any person guilty of the crime of submitting a false or fraudulent application shall be guilty of a Class C felony; to provide for the severability of the provisions of this Act; to provide for the repeal of all laws in conflict with this Act; and to provide an effective date for this Act.

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And said Bill, S. B. 180, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Little	
Aldridge	Covington	Goodwin	Menton	
Amari	deGraffenried	Hand	Parsons	
Bailey	Dixon	Horn	Sanders	
Bennett	Ellis	Langford	Strong	
Cooley	Figures			—21

*Nays:* —0

**BUDGET ISOLATION RESOLUTIONS**

On motion of Senator Little, the Rules were suspended and the B. I. R., S. B. 461, was adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Menton	
Aldridge	Dixon	Hand	Parsons	
Amari	Ellis	Horn	Sanders	
Bailey	Figures	Langford	Smith (J)	
Bennett	Foshee	Little	Strong	
Cooley				—20

*Nays:* —0

On motion of Senator Horn, the Rules were suspended and the B. I. R., H. B. 196, was adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Menton	
Aldridge	Dixon	Hand	Parsons	
Amari	Ellis	Horn	Sanders	
Bailey	Figures	Langford	Smith (J)	
Bennett	Foshee	Little	Strong	
Cooley				—20

*Nays:* —0

On motion of Senator Langford, the Rules were suspended and the B. I. R., S. B. 522, was adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Menton	
Aldridge	Dixon	Hand	Parsons	
Amari	Ellis	Horn	Sanders	
Bailey	Figures	Langford	Smith (J)	
Bennett	Foshee	Little	Strong	
Cooley				—20

*Nays:* —0

On motion of Senator Bailey, the Rules were suspended and the B. I. R., H. B. 121, was adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Menton	
Aldridge	Dixon	Hand	Parsons	
Amari	Ellis	Horn	Sanders	
Bailey	Figures	Langford	Smith (J)	
Bennett	Foshee	Little	Strong	
Cooley				—20

*Nays:* —0

On motion of Senator Bailey, the Rules were suspended and the B. I. R., S. B. 433, was adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Menton	
Aldridge	Dixon	Hand	Parsons	
Amari	Ellis	Horn	Sanders	
Bailey	Figures	Langford	Smith (J)	
Bennett	Foshee	Little	Strong	
Cooley				—20

*Nays:* —0

On motion of Senator Dixon, the Rules were suspended and the B. I. R., S. B. 117, was adopted.

Yeas 19; Nays 1.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Aldridge	deGraffenried	Goodwin	Parsons	
Amari	Dixon	Hand	Sanders	
Bailey	Ellis	Horn	Smith (J)	
Bennett	Figures	Langford	Strong	—19

*Nay:* Senator Little —1

On motion of Senator Hand, the Rules were suspended and the B. I. R., S. B. 197, was adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Menton	
Aldridge	Dixon	Hand	Parsons	
Amari	Ellis	Horn	Sanders	
Bailey	Figures	Langford	Smith (J)	
Bennett	Foshee	Little	Strong	
Cooley				—20

*Nays:* —0

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Senator Sanders, B. I. R., S. B. 372, adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Menton	
Aldridge	Dixon	Hand	Parsons	
Amari	Ellis	Horn	Sanders	
Bailey	Figures	Langford	Smith (J)	
Bennett	Foshee	Little	Strong	
Cooley				—20

*Nays:* —0

On motion of Senator Cooley, the Rules were suspended and the B. I. R., H. B. 179, was adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Menton	
Aldridge	Dixon	Hand	Parsons	
Amari	Ellis	Horn	Sanders	
Bailey	Figures	Langford	Smith (J)	
Bennett	Foshee	Little	Strong	
Cooley				—20

*Nays:* —0

Senator Aldridge, B. I. R., S. B. 176, adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Menton	
Aldridge	Dixon	Hand	Parsons	
Amari	Ellis	Horn	Sanders	
Bailey	Figures	Langford	Smith (J)	
Bennett	Foshee	Little	Strong	
Cooley				—20

*Nays:* —0

On motion of Senator Goodwin, the Rules were suspended and the B. I. R., S. B. 107, was adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Menton	
Aldridge	Dixon	Hand	Parsons	
Amari	Ellis	Horn	Sanders	
Bailey	Figures	Langford	Smith (J)	
Bennett	Foshee	Little	Strong	
Cooley				—20

*Nays:* —0

On motion of Senator Smith (J), the Rules were suspended and the B. I. R., S. B. 384, was adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Menton	
Aldridge	Dixon	Hand	Parsons	
Amari	Ellis	Horn	Sanders	
Bailey	Figures	Langford	Smith (J)	
Bennett	Foshee	Little	Strong	
Cooley				—20

*Nays:* —0

On motion of Senator Strong, the Rules were suspended and the B. I. R., S. B. 397, was adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Menton	
Aldridge	Dixon	Hand	Parsons	
Amari	Ellis	Horn	Sanders	
Bailey	Figures	Langford	Smith (J)	
Bennett	Foshee	Little	Strong	
Cooley				—20

*Nays:* —0

On motion of Senator Amari, the Rules were suspended and the B. I. R., S. B. 368, was adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Menton	
Aldridge	Dixon	Hand	Parsons	
Amari	Ellis	Horn	Sanders	
Bailey	Figures	Langford	Smith (J)	
Bennett	Foshee	Little	Strong	
Cooley				—20

*Nays:* —0

On motion of Senator Hilliard, the Rules were suspended and the B. I. R., S. B. 317, was adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Menton	
Aldridge	Dixon	Hand	Parsons	
Amari	Ellis	Horn	Sanders	
Bailey	Figures	Langford	Smith (J)	
Bennett	Foshee	Little	Strong	
Cooley				—20

*Nays:* —0



**BILLS ON THIRD READING RESUMED**

Senator Aldridge requested and received permission to suspend the Rules in order to bring up the Bill:

S. 176. To amend §32-5A-191, Code of Alabama 1975, which relates to the offense of driving under the influence of alcohol or controlled substances (DUI) and the penalties therefor, so as to require all persons convicted of violating said §32-5A-191 or a municipal ordinance prohibiting operation or actual physical control of a vehicle while under the influence of alcohol or controlled substances, to attend and complete a DUI court referral program certified or approved by the State Administrative Office of Courts; and to provide that completion of such program shall be in addition to the punishments and sanctions now provided by §32-5A-191, Code of Alabama 1975.

And said Bill, S. B. 176, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Little
Aldridge	Covington	Goodwin	Menton
Amari	deGraffenried	Hilliard	Parsons
Bailey	Dixon	Horn	Sanders
Bennett	Ellis	Langford	Strong
Cooley			—20

*Nays:* —0

Senator Cooley requested and received permission to suspend the Rules in order to bring up the Bill:

H. 179. Relating to the acquisition and/or transportation of donor organs retrieved in Alabama; to state the legislative intent; to define the terms chairman, person, quality assurance, organ and service; to provide that the chairman is to establish policies, procedures and standards and certify compliance with the established quality assurance standards of persons engaging in organ acquisition, and/or transportation, of organs retrieved in Alabama; but Chairman shall not certify a person until that person possesses and demonstrates to the Chairman the necessary knowledge and technical skills to comply with the established standards of quality assurance; after Chairman establishes and promulgates initial standards of quality assurance, Chairman is to circulate proposed updating of quality assurance standards to institutions then performing organ transplantation, but Chairman shall still have final and sole decision to establish and promulgate whatever appropriate for updating standards of quality assurance; to provide that persons providing any service pertaining to the acquisition and/or transportation of organs retrieved in Alabama shall strictly adhere to and follow established quality assurance standards; to provide for sanctions for persons providing services in violation of the established policies and procedures and standards of the Chairman for quality assurance in that they shall not receive reimbursement for such services from programs administered by the State of Alabama, and that Chairman will recommend to other reimbursing agencies that reimbursement be denied; to provide for immunity from civil damages or criminal prosecution to any person who, in good faith, follows the policies and procedures and standards established by the Chairman, and complies with the provisions of the Alabama Uniform Anatomical Gift Act; and to

provide the Article is cumulative and to be construed in pari materia with other laws relating to the public health and anatomical gifts and when standards of quality assurance are adopted by the federal government, Alabama standards shall be consistent with federal regulations.

And said Bill, H. B. 179, was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Little	
Aldridge	Corbett	Hand	Menton	
Amari	Covington	Hilliard	Parsons	
Bailey	deGraffenried	Horn	Sanders	
Bedsole	Dixon	Langford	Smith (J)	
Bennett	Foshee			—21

*Nays:* —0

Senator Bailey requested and received permission to suspend the Rules in order to bring up the Bill:

H. 121. To repeal Section 2-6-2, providing for the appointment of a Superintendent of the Agricultural Center to manage and control the coliseum and its facilities; to provide for the appointment of merit system employees for the Agricultural Center by the Agricultural Center Board.

And said Bill, H. B. 121, was read a third time at length and passed.

Yeas 23; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Little	
Aldridge	Corbett	Goodwin	Menton	
Amari	Covington	Hand	Parsons	
Bailey	deGraffenried	Hilliard	Sanders	
Bedsole	Dixon	Horn	Smith (J)	
Bennett	Ellis	Langford	Strong	—23

*Nays:* —0

Senator Sanders requested and received permission to suspend the Rules in order to bring up the Bill:

S. 372. To amend Section 17-4-156, Code of Alabama 1975, which provides for meeting days for county boards of registrars, so as to provide further for the meeting days of the boards in Lowndes, Perry, Sumter, Wilcox and Greene Counties.

Senator Corbett offered the following substitute for the Bill, S. B. 372, to-wit:

### **SUBSTITUTE FOR S. B. 372**

#### **A BILL TO BE ENTITLED AN ACT**

To amend Section 17-4-156, Code of Alabama 1975, which provides for meeting days for county boards of registrars, so as to provide further for

the meeting days of the boards in Barbour, Russell, Lowndes, Perry, Sumter, Wilcox and Greene Counties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 17-4-156, Code of Alabama 1975, is hereby amended to read as follows:

“§17-4-156.

“(a) Each board of registrars in the counties of Autauga, Bibb, Blount, Chambers, Cherokee, Clarke, Clay, Cleburne, Conecuh, Coosa, Crenshaw, Dallas, Escambia, Geneva, Hale, Henry, Lamar, Lawrence, Limestone, ~~Lowndes~~, Marengo, ~~Perry, Sumter~~, Talladega, Walker, and Washington and ~~Wilcox~~ may meet a maximum of 120 session days each fiscal year beginning October 1, 1984, and thereafter; each board of registrars in the counties of ~~Barbour~~, Butler, Covington, Fayette, ~~Greene~~, Lauderdale, Lee, Marion, Pickens, Pike, Randolph, St. Clair, Tallapoosa and Winston may meet a maximum of 168 session days each fiscal year beginning October 1, 1984, and thereafter; each board of registrars in the counties of Dale, Franklin, Houston, Marshall, ~~Greene, Lowndes, Perry, Sumter, Wilcox, Barbour, Russell, Bullock, Macon~~ and Tuscaloosa may meet a maximum of 216 session days each fiscal year beginning October 1, 1984, and thereafter; and the boards of registrars in the counties of DeKalb, Elmore, Jackson, ~~Russell~~ and Shelby may meet a maximum of 120 registration days each fiscal year beginning October 1, 1984, and thereafter. On any day on which the full board does not meet and the courthouse of the county is open for business, excepting Saturdays, there shall be in attendance at the courthouse one member of the board to receive applications, administer oaths and perform clerical duties of the board. Upon unanimous agreement of the board, one member may be designated full-time chief clerk to effectuate the provisions of this subsection. If no unanimous agreement be reached, then those members wishing to participate in such daily attendance shall alternate working days.

“(b) In the counties of Chilton, Choctaw, Coffee, Colbert, Cullman and Monroe, the board of registrars may meet a maximum of 168 session days each fiscal year beginning October 1, 1984, and thereafter. On any day on which the full board does not meet and the courthouse of the county is open for business, excepting Saturdays, there shall be in attendance at the courthouse one member of the board of registrars to receive applications, administer oaths and perform the clerical duties of the board. Upon unanimous agreement of the board, one member may be designated full-time chief clerk to effectuate the provisions of this subsection. If no unanimous agreement be reached, then those members wishing to participate in such daily attendance shall alternate working days.

“(c) The board of registrars of Etowah county may meet a maximum of 150 session days each fiscal year. On any day on which the full board does not meet and the courthouse of the county is open for business, excepting Saturdays, there shall be in attendance at the courthouse one member of the board of registrars to receive applications, administer oaths and perform clerical duties of the board. Upon unanimous agreement of the board, one member may be designated full-time chief clerk to effectuate the provisions of this subsection. If no unanimous agreement be reached, then those members wishing to participate in such daily attendance shall alternate working days.

“(d) The counties of Baldwin, Calhoun, Jefferson, Madison, Mobile, Montgomery, and Morgan, which are now operating under the provisions of

local bills, shall be exempted from the provisions of this section. Provided, however, that where the words 'each year' are used in such local acts such words shall mean 'each fiscal year beginning October 1, 1984, and thereafter.'

"(e) The actual number of session days shall be determined by a quorum of the board according to the needs of the county.

"(f) As many as 25 session days may be used for special registration sessions (i.e., those sessions held away from the courthouse in the several precincts of the county or sessions held on Saturday or between the hours of 5:00 P.M. and 9:00 P.M.) which special sessions are hereby authorized. Notice of any special session scheduled by the board must be given at least 10 days prior to the session by (1) bills posted at three or more public places in each election precinct affected, if the session involves precinct visits, and (2) advertisement once a week for two successive weeks in a newspaper published in the county or by radio or television announcements on a local station, or both."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	deGraffenried	Hand	Parsons	
Aldridge	Dixon	Horn	Sanders	
Bedsole	Ellis	Langford	Smith (J)	
Cooley	Foshee	Little	Strong	
Corbett	Goodwin	Menton		—18

*Nays:* —0

And said Bill, S. B. 372, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Covington	Hand	Menton	
Aldridge	Dixon	Hilliard	Parsons	
Bailey	Ellis	Horn	Sanders	
Cooley	Foshee	Langford	Smith (J)	
Corbett	Goodwin	Little		—18

*Nays:* —0

Senator Dixon requested and received permission to suspend the Rules in order to bring up the Bill:

S. 117. To include school systems and institutions in the definition of government so as to make it illegal to knowingly falsify certain school records.

And said Bill, S. B. 117, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

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Yeas 21; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Little
Aldridge	Covington	Hand	Menton
Bailey	deGraffenried	Hilliard	Parsons
Bedsole	Dixon	Horn	Smith (J)
Bennett	Ellis	Langford	Strong
Cooley	Foshee		

—21

Nays: —0

Senator Horn requested and received permission to suspend the Rules in order to bring up the Bill:

H. 196. Relating to "The Lifesaving Organ Procurement Act of 1986", to state the Legislative intent; to define the word "organ" and "attending physician", to better provide for the public health by providing that on the occurrence of death of a patient in a hospital, who has not made an anatomical gift to take place upon death, the hospital administrator, or designated representative to request, of specified survivors, in accordance with Section 22-19-42 (b), Code of Alabama, 1975, in the order of priority stated, and when persons in prior classes are not available at the time of death, and in the absence of actual notice to the contrary by the decedent or one in a prior class, to consent to the gift of organs of the decedent's body; to provide such request and its disposition shall be noted in the patient's medical record; to provide, where, based upon medical criteria that such a request would not yield an anatomical gift which would be suitable for use, or, where, based upon the special and peculiar knowledge of the attending physician and/or concerning the circumstances surrounding the death of the patient, there is an exception to the request required by this Article and such determination shall be noted in the patient's medical record; to provide for immunity from civil damages or criminal prosecution to any person who acts in good faith accord; and to provide that the provisions of this Article are cumulative and, insofar as possible, shall be construed in *pari materia* with other laws relating to the public health and anatomical gifts.

And said Bill, H. B. 196, was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Senators:	Cooley	Ellis	Langford
Aldridge	Corbett	Foshee	Menton
Bailey	Covington	Goodwin	Parsons
Bedsole	deGraffenried	Hilliard	Smith (J)
Bennett	Dixon	Horn	

—18

Nays: —0

Senator Hilliard requested and received permission to suspend the Rules in order to bring up the Bill:

S. 317. To provide for and create a public corporation for the purposes of flood control in circumstances affecting urban areas in Jefferson County, Alabama, to be known as the Jefferson County Flood Control Authority, with its principal office to be located in the City of Birmingham; to provide

for a board of directors, prescribe the method of appointment and compensation of directors, their duties, powers, and authority, including the employment of employees, attorneys, architects, engineers, consultants, and agents; to authorize the State of Alabama, and counties and municipalities therein, to contract with and to appropriate funds to such Authority and to issue general obligation or revenue bonds or warrants to finance projects contracted for; to provide that the debts and obligations of the Authority shall not be the debts or obligations of the State of Alabama, or any county or municipality therein; to exempt the Authority and its property from state, county, and municipal taxation; to make the provisions thereof severable; and, to provide an effective date of the Act.

And said Bill, S. B. 317, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 1.

*Yeas:*

Senators:	Cooley	Foshee	Langford	
Aldridge	Corbett	Goodwin	Little	
Bedford	deGraffenried	Hand	Parsons	
Bedsole	Denton	Hilliard	Sanders	
Bennett	Dial	Holmes	Smith (B)	
Bishop	Dixon	Horn	Teague	
Cabaniss	Ellis			—25

*Nay:* Senator Amari —1

Senator Smith (J) requested and received permission to suspend the Rules in order to bring up the Bill:

S. 384. To amend Sections 20-2-80 and 20-2-81 of the Code of Alabama 1975, relating to controlled substances so as to provide that this act be titled "Drug Baron's Enforcement Act of 1986," and to provide further for life in prison without parole for actual or constructive possession of a specified amount of certain controlled substances or mixtures containing certain controlled substances and to provide that the imposition of said sentence shall not be suspended.

And said Bill, S. B. 384, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Aldridge	Corbett	Goodwin	Parsons	
Amari	Covington	Hilliard	Smith (J)	
Bailey	deGraffenried	Langford	Strong	
Bennett	Dixon	Little		—18

*Nays:* —0

Senator Amari requested and received permission to suspend the Rules in order to bring up the Bill:

S. 368. To provide a privilege against divulgence of communications between a person and religious authorities in situations relating to matrimonial rights or status.

And said Bill, S. B. 368, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cooley	Ellis	Little
Aldridge	Corbett	Foshee	Menton
Amari	Covington	Goodwin	Parsons
Bailey	deGraffenried	Hand	Strong
Bennett	Dixon	Langford	—18

*Nays:* —0

Senator Strong requested and received permission to suspend the Rules in order to bring up the Bill:

S. 397. To provide that persons rendering aid in hazardous materials accidents shall be exempt from civil liability when rendering such aid.

The Standing Committee on Judiciary reported the following substitute for the Bill, S. B. 397, to-wit:

### SUBSTITUTE FOR S. B. 397

#### A BILL TO BE ENTITLED AN ACT

To provide protection from civil liability to certain persons rendering assistance in mitigating or preventing hazardous materials accidents, or those who assist in other local officially declared emergencies; to provide that the provisions of this act are cumulative.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. As used in this act, the following words and terms shall have meanings respectively ascribed to them by this section:

(1) "Discharge" shall include leakage, seepage, or other release.

(2) "Hazardous materials" shall include all materials and substances which are now or hereafter designated or defined as hazardous by any state or federal law or by the regulations of any state or federal government agency.

(3) "Person" shall include any qualified individual, partnership, corporation, association, or other entity. A qualified individual is one who is trained in the handling of hazardous materials.

Section 2. Notwithstanding any provision of law to the contrary, no person who provides assistance or advice in mitigating or attempting to mitigate the effects of an actual or threatened discharge of hazardous materials, or in preventing, cleaning up, or disposing of or in attempting to prevent, clean up or dispose of any such discharge, or in assisting any lawful authority in any other local officially declared emergency, shall be subject to civil liabilities or penalties of any type.

Section 3. The immunities provided in Section 2 above shall not apply to any person:

(1) whose act or omission proximately caused, in whole or in part, the original actual or threatening discharge, or

(2) who receives compensation other than reimbursement for out-of-pocket expenses for its services in rendering such assistance or advice.

Section 4. Nothing in Section 2 of this act shall be construed to limit or otherwise affect the liability of any person for damages resulting from such person's gross negligence, or from such person's reckless, wanton or intentional misconduct.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. The provisions of this act shall be construed in pari materia with all laws or parts of laws providing protection from civil liability, or granting immunity, for persons performing other acts of public assistance or rescue.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Little	
Aldridge	Corbett	Goodwin	Menton	
Amari	Covington	Hand	Parsons	
Bailey	Dixon	Horn	Smith (J)	
Bennett	Ellis	Langford	Strong	—19

*Nays:* —0

And said Bill, S. B. 397, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Amari	Dixon	Horn	Smith (J)	
Bailey	Ellis	Langford	Strong	
Cooley	Foshee	Little		—18

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

Senator Foshee, B. I. R., S. B. 499, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Little	
Aldridge	Covington	Goodwin	Menton	
Bailey	deGraffenried	Hand	Parsons	
Bennett	Dixon	Horn	Strong	
Cooley	Ellis	Langford		—18

*Nays:* —0



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**BILLS ON THIRD READING RESUMED**

Senator Foshee requested and received permission to suspend the Rules in order to bring up the Bill:

S. 499. To amend Section 37-6-18(b), Code of Alabama 1975, so as to establish the vote of members required in order to dissolve a cooperative.

And said Bill, S. B. 499, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Covington	Goodwin	Little	
Aldridge	deGraffenried	Hand	Menton	
Bailey	Dixon	Hilliard	Parsons	
Bennett	Ellis	Horn	Smith (J)	
Cooley	Foshee	Langford	Strong	
Corbett				—20

*Nays:* —0

**ADJOURNMENT**

At 6:55 P.M., Senator deGraffenried moved that the Senate adjourn until Tuesday, April 1, 1986, at 12:01 P.M., which motion lost due to a lack of a quorum.

Yeas 4; Nays 12.

*Yeas:*

Senators:	Dixon	Ellis	Little	
deGraffenried				—4

*Nays:*

Senators:	Bennett	Goodwin	Langford	
Aldridge	Corbett	Hand	Menton	
Amari	Covington	Hilliard	Strong	
Bailey				—12

Therefore, at 6:58 P.M., in accordance with Motion heretofore adopted, the Senate was declared adjourned until Tuesday, April 1, 1986, at 12:01 P.M.

## **TWENTY-FOURTH LEGISLATIVE DAY**

**TUESDAY, APRIL 1, 1986**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

### **PRAYER**

The Session was opened with prayer by Mr. Keith Waldrop, Youth Minister, Frazer Memorial United Methodist Church, Montgomery, Alabama.

### **PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Chris Austin, Oxford High School, Oxford, Alabama.

### **ROLL CALL**

Present:

Senators:	Cabaniss	Ellis	Little
Aldridge	Cooley	Figures	Menton
Amari	Corbett	Foshee	Mitchem
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hand	Sanders
Bedford	Denton	Hilliard	Smith (B)
Bedsole	Dial	Holmes	Smith (J)
Bennett	Dixon	Horn	Strong
Bishop	Drinkard	Langford	Teague

—35

### **JOURNAL**

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

### **REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

### **COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Third Legislative Day was approved by the Senate.

REPORT OF  
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills, respectively, and finds same correctly engrossed, to-wit:

S. 85. To further amend § 40-23-1, Code of Alabama 1975, as amended, which section contains various definitions applicable to the Alabama sales tax, so as to amend the definition of "sale or sales," and declaring that this bill does not provide any grounds for jurisdiction for collecting sales or use tax over retailers who have not otherwise submitted to the jurisdiction of this state for tax purposes.

Also:

S. 372. To amend Section 17-4-156, Code of Alabama 1975, which provides for meeting days for county boards of registrars, so as to provide further for the meeting days of the boards in Barbour, Russell, Lowndes, Perry, Sumter, Wilcox and Greene Counties.

Also:

S. 397. To provide protection from civil liability to certain persons rendering assistance in mitigating or preventing hazardous materials accidents, or those who assist in other local officially declared emergencies; to provide that the provisions of this act are cumulative.

Also:

S. 208. To appropriate funding for the creation of the "Alabama Hazardous Substance Cleanup Fund," to provide that such fund shall be used for the cleanup and restoration of abandoned or inactive sites at which improper disposal of hazardous substances has occurred; to plan and undertake the rehabilitation, removal and cleanup of hazardous substances deposited improperly at sites located within Alabama; to provide that this fund shall be used for sites not qualified for or unlikely to receive funding for cleanup from funds designated for cleanups under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. §§ 9601 et seq.) and to provide state matching funds for cleanups under the Comprehensive Environmental Response, Compensation and Liability Act of 1980; to provide that the fund shall be administered by the Alabama Department of Environmental Management; to provide that the sites within the state shall be ranked according to their relative threats and the fund applied to the sites in the order of that ranking; to direct the Alabama Department of Environmental Management to secure other funds whenever possible and to provide for future appropriations to the fund.

Also:

S. 547. To provide for the incorporation of the Alabama Space Science Exhibit Finance Authority; to provide for the Authority's members, officers and directors; to empower the Authority to acquire and hold title to real and personal property and to sell, convey or lease that property; to provide for the leasing of facilities owned by the Authority to certain entities; to empower the Authority to sell and issue its notes, bonds and refunding bonds, to grant mortgages upon, and security interests in its facilities and

to pledge for payment of its notes, bonds and refunding bonds the rents and revenues from such facilities, the proceeds from the sale of such facilities, unexpended note or bond proceeds, insurance proceeds and/or mortgage or security interests in the Authority's facilities; to confer on the Authority the same power of eminent domain as that possessed by the State; to provide for temporary loans in anticipation of the issuance of bonds; to provide for the disposition of proceeds from the sale of bonds or refunding bonds issued by the Authority; to exempt from taxation the income and property of the Authority, all lien notices with respect thereto, the interest on the notes and bonds of the Authority and all purchases and uses of property by the Authority; to provide that venue for any action arising out of this Act shall be in the circuit court of Madison County, Alabama; to provide for dissolution of the Authority; to exempt leases of the Authority from the competitive bid law; to exempt the Authority from the Sunset Law; to provide that the provisions of this Act are severable; and to provide an effective date.

CHARLES BISHOP,  
Chairperson.

### INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Strong (With Notice and Proof):

S. 650. Relating to Marengo County; to authorize and provide for the incorporation in Marengo County of public corporations for the purpose of promoting the industrial development of the county and municipalities therein and particularly the development and commercial use of the inland waterways in said county through the acquisition and preparation of suitable wharves, docks, warehouses, and other port and related facilities; to provide for the election and compensation of directors of any such authority; to provide for the powers, authorities and duties of any such authority and its board of directors; specifically to authorize any such authority to acquire, construct, operate, improve and finance wharves, docks, warehouses, and other port and related facilities, and specifically to apply to the United States Foreign Trade Zones Board for permission to establish, operate and maintain a foreign trade zone, and if such permission is granted, then to establish, operate and maintain such a foreign trade zone; to confer on such authority the power of eminent domain; to provide for the issuance by any such authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of the revenues of any facilities or other property of such authority, without regard to the facilities or property with respect to which such securities may have been issued; to provide that such securities shall constitute negotiable instruments; to regulate and provide further for the issuance of, security for (including the pledge of certain revenues and properties to the payment thereof), and use of the proceeds of such securities; to provide for refunding of such securities; to provide that such securities issued and contracts entered into by any such authority pursuant to this act shall not constitute or create a debt of the state or of said county, or of any municipality or political subdivision of the county; to provide that any county, municipality, other political subdivision, public corporation, agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and without the necessity of an election and with or without consideration, transfer any port facilities or other property to any

such authority; to exempt the property and income of any such authority, all securities issued by such authority and the income from such securities from all taxation in the state, including license and excise taxes, levied by the state, any county, municipality, or political subdivision of the state; to exempt all conveyances, leases, mortgages and deeds of trust to which such authority is a party from all taxation by the state; to exempt such authority from payment of certain charges to the judge of probate; to exempt any authority organized hereunder from certain tort liability; to provide that certain employees of such authority shall be subject to and covered by any merit or civil service system applicable to the employees of said county or the municipality by which the incorporation of the authority was authorized if there is such a system applicable to the employees of the authorizing government; and to provide for the dissolution of any such authority and the disposition of its property.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 650, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Bedsole (With Notice and Proof):

S. 651. To relate to Mobile County; to regulate the sale of pre-need funeral contracts in the county; to prohibit the sale of such pre-need funeral contracts except upon compliance with the provisions hereof; to provide for the depositing of at least 90 percent of the proceeds received by an issuer (as defined in this act) from a contract purchaser (as defined in this act) to be held in trust; to provide for notification to the Attorney General and the Alabama Board of Funeral Service by any person engaging in or proposing to engage in the sale of pre-need funeral contracts in the county; to provide for the disposition of funds upon the death of the beneficiary or upon breach of the pre-need funeral contract by the issuer and in certain other events; to provide for the keeping of books and records by issuers pertaining to pre-need funeral contracts; to provide an effective date; and to provide that any person violating the provisions of this act shall be prohibited from writing or issuing any pre-need funeral contracts in the county.

Committee on Local Legislation No. 3.

I hereby certify that the notice and proof is attached to the Bill, S. B. 651, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Parsons:

S. 652. To reopen any one of the State of Alabama retirement systems for certain law enforcement personnel of municipalities; to prescribe the purchase procedure, the calculations of cost plus interest and the employer liability; and to prescribe that the provisions of this act shall be cumulative.

Committee on Governmental Affairs.

By Senator Menton (With Notice and Proof):

S. 653. Relating to Mobile County; to amend Act No. 31 of the Alabama Legislature, Second Special Session 1975, adopted March 10, 1975, and any

amendments thereto, which relates to the incorporation in any municipality having a population of not less than 175,000 nor more than 250,000 according to the last or any subsequent Federal Decennial Census of an authority as a public corporation for the purpose of providing public transportation service in such county and the compensation of directors of any such authority.

Committee on Local Legislation No. 3.

I hereby certify that the notice and proof is attached to the Bill, S. B. 653, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Dial (With Notice and Proof):

S. 654. Relating to Cleburne County; providing that it shall be unlawful for anyone to willfully throw or cast headlights or any rays of artificial light from any motor vehicle in any field, woodland or forest in an attempt to locate deer or any other wildlife with the exception of farmers who may do so while checking livestock on owned, leased or rented land; and providing for penalties.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 654, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Figures (With Notice and Proof):

S. 655. Relating to Mobile County; creating and providing for a county racing commission for the regulation, licensure and supervision of dog racing and wagering thereon; prescribing the composition, appointment, powers and duties of the commission; providing for and regulating the pari-mutuel or certificate method of wagering within the enclosure of licensed racetracks; providing for the distribution of license fees, taxes, commissions, and other monies received under the provisions of this act; and providing for penalties.

Committee on Local Legislation No. 3.

I hereby certify that the notice and proof is attached to the Bill, S. B. 655, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Aldridge (With Notice and Proof):

S. 656. Relating to Morgan County; providing a certain county supplement to the salary of each supernumerary court reporter in the eighth judicial circuit payable from the county treasury.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 656, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Aldridge (With Notice and Proof):

S. 657. Relating to Morgan County; providing for a supplemental expense allowance for the court reporter of the Eighth Judicial Circuit; and providing that such expense allowance shall be paid from the county treasury.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 657, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Bedford:

S. 658. To amend Section 40-6-5 of the Code of Alabama 1975, relating to certain supernumeraries, so as to provide further for allowing such supernumeraries to purchase certain prior service credit under such supernumerary system.

Committee on Governmental Affairs.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Kvalheim, Harper, Gaston, Zoghby, and Turner (With Notice and Proof):

H. 548. Pertaining to Mobile County; to exempt from all county, local, and municipal ad valorem taxes, certain property owned by The Federated Garden Clubs of Mobile County, Inc., a nonprofit corporation.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 548, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Turner (With Notice and Proof):

H. 575. Relating to Mobile County; establishing a branch of the license commissioner's office in the City of Citronelle.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 575, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Turner (With Notice and Proof):

H. 629. To amend further Act No. 470, H. 952 of the Regular Session of 1939, approved September 15, 1939 (Local Acts, 1939, page 298), which creates and establishes the County-wide Civil Service System in Mobile

County, as amended by Act No. 684, H. 594 of the Regular Session of 1976 (Acts of Alabama, 1976, page 939), and as further amended by Act No. 84-623 of the Regular Session of 1984 (Acts of Alabama, 1984, page 1271), so as to clarify and designate the members of the Supervisory Committee of the Mobile County Personnel Board, to provide that the Presiding Judge of the Circuit Court shall serve as Chairman of the Supervisory Committee and to provide that he shall be entitled to vote only in case of a tie; to provide for an expense allowance and compensation for the members of the Personnel Board; to provide for employment of handicapped persons in the Civil Service System in Mobile County, providing preference for such persons with Civil Service Employment, and to repeal Act No. 84-623 of the Regular Session of 1984, Acts of Alabama, 1984, page 1271.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 629, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Hooper and McKee (With Notice and Proof):

H. 638. To amend Section 15 of Act No. 1606, H. 1891, 1971 Regular Session (Acts 1971, p. 2761), previously amended by Act No. 587, H. 1383, the Regular Session of the Alabama Legislature 1975, which act, as amended, creates in the City of Montgomery in connection with the regular organized and paid Fire Department of the City of Montgomery the Montgomery Fire Fighters Pension Fund, so as to authorize the trustees of the Montgomery Fire Fighters Pension Fund through a majority of the Board of Trustees the power to repeal, alter, amend, delete, or otherwise in their discretion change the benefits available pursuant to the Montgomery Fire Fighters Pension Fund but not authorizing said trustees to stop or in any way take away or alter benefits presently being received by any member of the fund, presently receiving benefits therefrom, and expressly repealing Sections 16, 17, 18, 19, and 24.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 638, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Holmes, Starr, McKee, Hooper, and Buskey (JL) (With Notice and Proof):

H. 649. Relating to the City of Montgomery in Montgomery County; to authorize the City of Montgomery to grant city ad valorem tax exemptions for up to fifteen (15) years to owner-developers who build new commercial or industrial facilities within the downtown business district as defined by the governing body of said city providing that such owner-developers receiving such exemptions shall, however, continue to pay city ad valorem property taxes on such property as was paid in the year preceding the improvement caused by the construction or development of the new commercial or industrial facility; to provide that the tax exemption herein shall not affect any taxes other than city ad valorem taxes; and to provide for the procedures to be followed in the granting of such exemptions.



I hereby certify that the Notice & Proof is attached to the Bill, H. B. 649, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 548, 575, and 629—to the Committee on Local Legislation No. 3

H. B.'s 638 and 649—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Newman (With Notice and Proof):

H. 768. To amend the title and Section 1 of Act No. 82-317, H. 793 of the 1982 Regular Session (Acts 1982, p. 429) relating to allocation and distribution of certain oil and gas privilege tax revenues accruing to Fayette County or any municipality therein, so as to provide further for such allocation and distribution.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 768, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Starkey and Clark (D) (With Notice and Proof):

H. 772. Relating to Lauderdale County; levying a lodging tax, providing for the collection and distribution of said tax.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 772, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Kennedy, Buskey (JE), and Clark (W) (With Notice and Proof):

H. 753. Relating to Mobile County, directing the Mobile County Board of School Commissioners to designate Martin Luther King's birthday as a legal holiday for school system purposes.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 753, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Venable (With Notice and Proof):

H. 776. Relating to Coosa County; providing for the districts and election of the members of the county board of education.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 776, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Venable (With Notice and Proof):

H. 777. To repeal Act No. 316, H. 294, approved September 16, 1975, Regular Session 1975 (Acts 1975, p. 851), entitled, "An Act Relating to Coosa County; to provide an expense allowance for the sheriff and to give the provisions of this Act retroactive effect.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 777, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Venable (With Notice and Proof):

H. 778. To repeal Act No. 696, H. 1389, approved October 2, 1975, Regular Session 1975 (Acts 1975, p. 1451), entitled, "An Act Relating to Coosa County; providing annual monthly expense allowances for the tax assessor, tax collector and circuit clerk of said county and giving this act retroactive effect."

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 778, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Venable (With Notice and Proof):

H. 779. To repeal Act No. 352, H. 929, approved September 16, 1975, Regular Session 1975 (Acts 1975, p. 891), entitled, "An Act Relating to Coosa County; providing additional expense allowance for the members of the county commission, making the provisions of this act retroactive."

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 779, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 768, 772, 776, 777, 778, and 779—to the Committee on Local Legislation No. 1

H. B. 753—to the Committee on Local Legislation No. 3

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Dutton (With Notice and Proof):

H. 725. Relating to Lawrence County; providing for equalization of the salaries of certain clerks employed in the offices of certain elected county officials and prescribing guidelines for future salary increases for such clerks.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 725, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Burke (With Notice and Proof):

H. 749. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Valley Head, in DeKalb County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 749, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Carter and Clark (D) (With Notice and Proof):

H. 750. Relating to Limestone County; to authorize the county commission to provide for hospital and medical insurance of retired county employees.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 750, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Harvey (With Notice and Proof):

H. 757. Relating to Blount County; To provide for a special recording fee of \$2.00, in addition to all existing recording fees and charges, for each such document hereinafter filed for record in Blount County; and to provide for the expenditure of the funds in the office of the judge of probate.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 757, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Johnson (RG) and Preuitt (With Notice and Proof):

H. 765. Relating to the City of Sylacauga in Talladega County; authorizing branch banking.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 765, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Flowers (With Notice and Proof):

H. 767. To authorize the governing body of Pike County, Alabama, to levy and collect special county privilege and license taxes, paralleling the state sales taxes provided for in Division 1 of Article 1 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, and special county excise taxes paralleling the state use taxes provided for in Article 2 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, upon approval of the electors of the county in an advisory referendum; to specify the rates at which such taxes may be levied; to provide for the ascertainment, collection, payment, and distribution and use of the proceeds of the said taxes by the Troy-Pike County Lake Authority for the Walnut Creek Lake Project if levied by the said governing body; to provide for the enforcement of this act by the State Department of Revenue; and to provide for an advisory referendum election to determine if a majority of the electors voting at said election favor authorizing the governing body to levy such taxes.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 767, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 725, 749, 750, 757, 765, and 767—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Turner, Kennedy, Zoghby, Box, Harper, Marietta, Clark (W), and Buskey (JE) (With Notice and Proof):

H. 631. Relating to Mobile County; providing that the county commission shall call for a public hearing to be held a certain time prior to approving any landfill project in said county and empowering the county commissioner representing the commission district in which such proposed landfill is to be located with veto power over any commission decision approving such landfill project if such public hearing is not called as provided for in this act.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 631, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Harper, Zoghby, Turner, Buskey (JE), Kennedy, and Clark (W) (With Notice and Proof):

H. 635. Relating to Mobile County; to provide further that the Mobile County Commission pay the cost of advertising local bills within thirty days from receipt of the invoice.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 635, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Carter and Clark (D) (With Notice and Proof):

H. 703. Relating to Limestone County; to provide that any municipality whose corporate limits or boundaries include lands lying outside of Limestone County, must, in addition to all other requirements of law, obtain the consent of the Limestone County Commission before annexation of lands lying in Limestone County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 703, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 631 and 635—to the Committee on Local Legislation No. 3

H. B. 703—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Martin (With Notice and Proof):

H. 694. Relating to Morgan County; providing for the reidentification of each qualified elector in the county.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 694, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 694—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 267. Relating to Clay County; providing further for the expense allowance and salary for the county coroner.

Also:

S. 515. Relating to Colbert County and its municipalities for the purpose of said county and municipalities joining with Lauderdale County and its municipalities, for the purpose of forming a Shoals Industrial Development Authority for promoting industry and trade and the development of said counties and cities; to provide for the organization, powers, functions, duties and personnel of such authority, and for the payment of expenses of the authority and for the compensation of its employees.

Also:

S. 518. Relating to Talladega County; providing further for banking business within said county; authorizing any bank which moves its principal offices from the county, into another county, to continue operations in Talladega County as a branch so as to not cause a hardship to its customers.

Also:

S. 532. To authorize the governing body of any Class 7 municipality operating under a commission form of government and organized pursuant

to Sections 11-44-1 through 11-44-57 inclusive, Code of Alabama 1975, as amended, to adopt an ordinance to designate the places and responsibilities of the commissioners of such municipality; to require candidates desiring to run for a place on the commission to qualify for election to the designated place in which they desire to serve; and to prohibit further changes by ordinance once the designations have been made but, on the contrary, to require such additional changes to be authorized by legislative act.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 121. To repeal Section 2-6-2, providing for the appointment of a Superintendent of the Agricultural Center to manage and control the coliseum and its facilities; to provide for the appointment of merit system employees for the Agricultural Center by the Agricultural Center Board.

Also:

H. 179. Relating to the acquisition and/or transportation of donor organs retrieved in Alabama; to state the legislative intent; to define the terms chairman, person, quality assurance, organ and service; to provide that the chairman is to establish policies, procedures and standards and certify compliance with the established quality assurance standards of persons engaging in organ acquisition, and/or transportation, of organs retrieved in Alabama; but Chairman shall not certify a person until that person possesses and demonstrates to the Chairman the necessary knowledge and technical skills to comply with the established standards of quality assurance; after Chairman establishes and promulgates initial standards of quality assurance, Chairman is to circulate proposed updating of quality assurance standards to institutions then performing organ transplantation, but Chairman shall still have final and sole decision to establish and promulgate whatever appropriate for updating standards of quality assurance; to provide that persons providing any service pertaining to the acquisition and/or transportation of organs retrieved in Alabama shall strictly adhere to and follow established quality assurance standards; to provide for sanctions for persons providing services in violation of the established policies and procedures and standards of the Chairman for quality assurance in that they shall not receive reimbursement for such services from programs administered by the State of Alabama, and that Chairman will recommend to other reimbursing agencies that reimbursement be denied; to provide for immunity from civil damages or criminal prosecution to any person who, in good faith, follows the policies and procedures and standards established by the Chairman, and complies with the provisions of the Alabama Uniform Anatomical Gift Act; and to provide the Article is cumulative and to be construed in pari materia with other laws relating to the public health and anatomical gifts and when standards of quality assurance are adopted by the federal government, Alabama standards shall be consistent with federal regulations.

Also:

H. 196. Relating to "The Lifesaving Organ Procurement Act of 1986", to state the Legislative intent; to define the word "organ" and "attending

physician", to better provide for the public health by providing that on the occurrence of death of a patient in a hospital, who has not made an anatomical gift to take place upon death, the hospital administrator, or designated representative to request, of specified survivors, in accordance with Section 22-19-42 (b), Code of Alabama, 1975, in the order of priority stated, and when persons in prior classes are not available at the time of death, and in the absence of actual notice to the contrary by the decedent or one in a prior class, to consent to the gift of organs of the decedent's body; to provide such request and its disposition shall be noted in the patient's medical record; to provide, where, based upon medical criteria that such a request would not yield an anatomical gift which would be suitable for use, or, where, based upon the special and peculiar knowledge of the attending physician and/or concerning the circumstances surrounding the death of the patient, there is an exception to the request required by this Article and such determination shall be noted in the patient's medical record; to provide for immunity from civil damages or criminal prosecution to any person who acts in good faith accord; and to provide that the provisions of this Article are cumulative and, insofar as possible, shall be construed in pari materia with other laws relating to the public health and anatomical gifts.

Also:

H. 231. Relating to Mobile County, to provide for the deposit of moneys collected by the Mobile County License Commissioner and other elected officials in Mobile County.

JOHN W. PEMBERTON,  
Clerk.

### **SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 62. To provide for criminal penalties and civil liability for the theft of certain cable television services, and to provide for the confiscation of certain equipment used in the theft of any such cable television services.

JOHN W. PEMBERTON,  
Clerk.

### **SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.



**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Dutton (With Notice and Proof):

H. 780. Relating to Lawrence County; prescribing certain guidelines to be used in determining the salary and expense allowances of the county superintendent of education.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 780, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Turner, Zoghby, and Kvalheim (With Notice and Proof):

H. 784. Relating to Mobile County, authorizing that the medical examiner may provide cornea tissue transplants.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 784, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Lindsey (With Notice and Proof):

H. 787. Relating to Cherokee County; to amend Act No. 80-353, H. 981, 1980 Regular Session, which provides compensation for the members of the county commission, so as to provide further for travel allowances for said members and to provide for its retroactive effect.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 787, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 780 and 787—to the Committee on Local Legislation No. 1

H. B. 784—to the Committee on Local Legislation No. 3

**REPORTS OF COMMITTEES**

Senator Bailey, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had

acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Menton (With Substitute):

S. 579. To amend Section 25-4-10(b)(17) Code of Alabama 1975, as last amended (The Alabama Unemployment Compensation Law) to exclude from the term "employment" certain services performed in the cleaning, processing and handling of a seafood commodity and to provide for its retroactive effect to January 1, 1985. To further amend Section 25-4-10(b)(17)b to exclude from "employment" services performed on or in a vessel of more than 10 tons operating with a crew of fewer than 10 engaged in catching or gathering certain fish or other forms of aquatic animal life if remuneration is solely by share of catch and to provide for its retroactive effect to January 1, 1985. To correct certain clerical errors in the act.

Senator Bailey, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Covington and Bailey:

S. 602. To amend Section 2-19-131, Code of Alabama, 1975, providing for certification of the official cotton growers' organization to allow said organization to borrow funds for the purpose of eradicating the boll weevil; to amend Section 2-19-135, providing procedures to be used when assessments are not paid to also declare that assessments constitute a lien which the Commissioner of Agriculture and Industries is authorized to collect.

By Senators Covington and Bailey:

S. 603. To conditionally appropriate \$600,000 of any available funds for the fiscal year 1985-86 to the Boll Weevil Eradication Foundation, conditioned upon the United States Department of Agriculture's putting said eradication program in effect in Alabama and upon the Governor's approval.

By Reps. Drake, Smith, Richardson, Reed, Butler, White (F), Lindsey, Grouby, Penry, Coleman, Blakeney, Mitchell, Rains, Faulk, Turnham, Preuitt, Bowling, Carter, Junkins, Holley, Warren, Beasley, Thomas, Johnson (RW), Tanner, Venable, Gaston, Hammett, Browder, Martin, Bryant, Blake, Clark (J), Newton, Clark (D), Starkey, Adams, Kvalheim, Onderdonk, Burke, Crow, Harvey, Newman, Goodwin, Flowers, Lauderdale, Britnell, Turner, Poole, Mathis, Brakefield, Johnson (RG), Carothers, Starr, McKee, McMillan, Black, and Campbell:

H. 611. To establish the Farm Crisis and Transition Program and Commission in the State to provide needed career-oriented technical education and counseling services to farmers and agricultural businessmen in the State in the fields of agricultural finance and accounting, law, farm planning, vocational training and social services at a reasonable cost or on a no-cost basis; to provide supplemental job training to enable economically distressed farmers and agricultural businessmen to remain in farming or to retain their businesses or to facilitate an orderly transition from agriculture to other activities; to provide for the employment by the Commission of a program coordinator, necessary staff and specialist support personnel; to provide that the Commission may appoint an advisory committee; to provide

for regional offices to be established to coordinate local regional activities and provide for certification of qualified professionals in the fields of agricultural finance and accounting, law, farm planning, vocational training and social services; to provide farmers and agricultural businessmen seeking program assistance with names of qualified and certified professionals in their region; to ensure that regional offices actively initiate and maintain a highly visible public awareness program and prepare a descriptive system of periodic program reports with the Commission; to provide for coordination of the Commission's activities with all other state agencies involved in providing services to farmers; to authorize the Governor to accept, on behalf of the State, private contributions for the benefit of the Program; to provide for the severability of the provisions of this Act; and to provide an effective date.

Senator Foshee, Chairperson of the Standing Committee on Buildings and Grounds, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Foshee:

S. 640. To establish the state salary payable to the circuit court clerks and circuit court registers at an amount equal to \$3,000.00 less than the state salary payable to the district attorneys; to provide that the salary increases provided by this Act shall be implemented in two steps over the next two fiscal years; to provide an appropriation to the Unified Judicial System for the fiscal year beginning October 1, 1986; and to provide an effective date.

By Senator Teague:

S. 645. To permit certain appointees to educational commissions or educational advisory boards to serve past the age of seventy years under certain circumstances; and to provide that the provisions are cumulative.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Bedford (With Notice and Proof):

S. 643. Relating to Franklin County; providing further for the distribution of all funds accruing to Franklin County or any municipality therein from the oil and gas privilege tax pursuant to Sections 40-20-1 through 40-20-13, Code of Alabama 1975.

By Senator Bedford (With Notice and Proof):

S. 644. To alter and rearrange the boundaries of the Town of Vina in Franklin County, so as to include certain territory into the corporate limits of the town.

By Senator Bedford (With Notice and Proof):

S. 647. Relating to Fayette County; to create a license-issuing division within the Probate Judge's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to

provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; such fees shall be set by the County Commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of licenses by the Probate Judge's office; and to transfer certain duties now performed by the Tax Assessor and Tax Collector to said probate office; also to provide for a special recording and indexing fee on documents filed in the office of the Judge of Probate; and to prescribe the use thereof. County Commission to set fee.

By Senator Bedford (With Notice and Proof):

S. 648. Relating to Franklin County; to establish benefits and a policy for on-the-job injuries for educational personnel and to provide for retroactive effect.

By Senator Bedford (With Notice and Proof):

S. 649. Relating to Franklin County; providing that it shall be unlawful for one or more persons to willfully throw or cast headlights or any rays of artificial light from any motor vehicle in a certain manner and under certain conditions; to provide for certain exceptions and to prescribe penalty for violation.

By Senator Sanders (With Notice and Proof):

S. 637. Relating to Greene County, authorizing the county commission to expend funds for day care centers.

By Senator Sanders (With Notice and Proof):

S. 638. Relating to Greene County; providing certain additional compensation for the members of the board of registrars to be paid from the county general fund.

By Rep. Bugg (With Notice and Proof):

H. 19. To authorize the Etowah County Board of Health to designate the services rendered by the Etowah County Health Department for which a reasonable fee may be charged and to set and collect fees for each service.

By Reps. Bugg and Junkins:

H. 346. Proposing an amendment to the Constitution of Alabama of 1901 to prohibit annexation of territory within Etowah County by municipalities outside of the county without a vote of the people of Etowah County.

The above Bill was read a second time at length as required by the Constitution.

By Reps. Onderdonk and Blakeney (With Notice and Proof):

H. 656. Relating to Clarke County; providing for the appointment of the county superintendent of education; providing for a referendum on the question of whether the electors of the county favor the appointment of the county superintendent of education.

By Rep. White (L) (With Notice and Proof):

H. 659. To authorize the Tallapoosa County Board of Health to designate the services rendered by the Tallapoosa County Health Department

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for which a reasonable fee may be charged; to provide that the Tallapoosa County Board of Health shall be required to set a maximum fee for each service; to provide that the Tallapoosa County Health Department may charge and collect such fees; to provide that no citizen shall be deprived of any service because that person is unable to pay; and to provide for the allocation of all fees collected.

By Rep. White (L) (With Notice and Proof):

H. 660. Relating to Tallapoosa County; providing certain additional compensation for the members of the board of registrars for the duration of voter reassignment and providing for retroactive effect.

By Reps. Smith and Grouby (With Notice and Proof):

H. 687. Relating to Chilton County; to create a license-issuing division within the tax collector's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail, such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes, the issuance of licenses by the tax collector's office; and to transfer certain duties now performed by the tax assessor and probate judge to said office.

By Reps. Coburn and Goodwin (With Notice and Proof):

H. 688. Relating to Colbert County; providing for the county governing body to reimburse the office of probate judge for any monetary loss resulting from the performance of official duties for errors of mistakes made in good faith, not to exceed a certain maximum per annum; and providing such funds shall be payable from the general fund of the county.

By Rep. Campbell (With Notice and Proof):

H. 689. Relating to Calhoun County, amending Act No. 84-403, H. 819, 1984 Regular Session, which levies an additional sales tax in the county, so as to provide further for the distribution of the proceeds of said tax and providing for a retroactive effect.

By Rep. Warren (With Notice and Proof):

H. 691. Relating to Conecuh County; to provide for a special recording fee on documents filed in the office of the judge of probate; and to prescribe the use thereof.

By Reps. Fuller and Laird (With Notice and Proof):

H. 692. Relating to Chambers County; to authorize Chambers County to grant county ad valorem taxes exemptions, including real estate, equipment and supplies for up to five years to any manufacturing firm or facility; to provide that the tax exemption herein shall not affect taxes other than county ad valorem taxes; to provide for the county tax assessor to develop the necessary criteria to issue said exemptions subject to the approval of the Chambers County Commission; and to provide for the procedures to be followed in the granting of such exemptions.

By Rep. Onderdonk (With Notice and Proof):

H. 698. Relating to Washington County; providing a certain increase in compensation for the supernumerary tax collector in said county.

By Rep. Clark (J) (With Notice and Proof):

H. 741. Relating to Barbour County, providing for the election of the County Board of Education; adopting single-member districts and repealing all conflicting laws.

By Rep. Warren (With Notice and Proof):

H. 771. Relating to Conecuh County; providing for the election of the County Board of Education; providing for the division of Conecuh County into five single-member County School Board Districts; providing for the term of office; and repealing all conflicting laws and to specifically repeal Act 384 of the 1953 Regular Session and Act 84-641 of the 1984 Regular Session.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Venable (With Notice and Proof) (With Amendment):

H. 775. Relating to Coosa County; to provide further for the composition of the county commission; to provide that the judge of probate of Coosa County shall serve as a voting chairman on said commission; to provide for the election of the five associate commission members from single member districts within Coosa County; to provide for the terms of said commissioners; to provide that the associate members must reside within the boundaries of their district; to prescribe the salaries and duties of the associate commissioners; to prescribe the boundaries of certain districts; to empower the Coosa County Commission to determine the boundary line of certain commission districts; to empower said county commission to reapportion itself at certain times; to provide for the filling of vacancies in the office of associate commissioner; to provide for the employment of a county administrator and to prescribe the duties of the county administrator; to provide for the employment of a county engineer, and to prescribe the duties and responsibilities of such county engineer; to provide for the operation of a road and bridge department on the basis of the county as a unit, without regard to any district or beat lines and to provide that this act shall be null and void on the first Monday after the second Tuesday in January 1991.

### BUDGET ISOLATION RESOLUTIONS

On motion of Senator Denton, the Rules were suspended and the B. I. R., H. B. 671, was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Hand	Mitchem
Aldridge	Denton	Hilliard	Parsons
Amari	Dial	Holmes	Sanders
Barron	Dixon	Horn	Smith (B)
Bedford	Ellis	Little	Smith (J)
Bedsole	Figures	Menton	Teague
Bishop	Foshee		

—25

Nays:

—0

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On motion of Senator Dixon, the Rules were suspended and the B. I. R., S. B. 105, was adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Parsons	
Bailey	Dial	Hand	Sanders	
Bedsole	Dixon	Holmes	Smith (B)	
Cabaniss	Ellis	Horn	Strong	
Covington	Foshee	Little		—18

*Nays:* —0

**BILLS ON THIRD READING**

Senator Denton requested and received permission to suspend the Rules in order to bring up the Bill:

H. 671. Relating to Lauderdale County and its municipalities for the purpose of said county and municipalities joining with Colbert County and its municipalities, for the purpose of forming a Shoals Industrial Development Authority for promoting industry and trade and the development of said counties and cities; to provide for the organization, powers, functions, duties and personnel of such authority, and for the payment of expenses of the authority and for the compensation of its employees.

And said Bill, H. B. 671, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Hand	Mitchem	
Aldridge	Denton	Hilliard	Parsons	
Amari	Dial	Holmes	Sanders	
Barron	Dixon	Horn	Smith (B)	
Bedford	Ellis	Little	Smith (J)	
Bedsole	Figures	Menton	Teague	
Bishop	Foshee			—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTIONS**

On motion of Senator Dixon, the Rules were suspended and the B. I. R., S. B. 88, was adopted.

Yeas 18; Nays 1.

*Yeas:*

Senators:	Cooley	Ellis	Menton	
Aldridge	deGraffenried	Foshee	Parsons	
Bailey	Denton	Goodwin	Smith (B)	
Bedsole	Dial	Hand	Strong	
Cabaniss	Dixon	Horn		—18

*Nay:* Senator Little —1

On motion of Senator Sanders, the Rules were suspended and the B. I. R., S. B. 585, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Mitchem	
Aldridge	Denton	Hand	Parsons	
Amari	Dial	Holmes	Sanders	
Barron	Dixon	Horn	Smith (B)	
Bedford	Drinkard	Little	Smith (J)	
Bedsole	Ellis	Menton	Teague	
Bishop	Figures			—25

*Nays:* —0

### BILLS ON THIRD READING RESUMED

Senator Sanders requested and received permission to suspend the Rules in order to bring up the Bill:

S. 585. To amend the title and Sections 4 and 5 of Act No. 83-480, H. 669, 1983 Regular Session (Acts 1983, p. 672), entitled "An Act Relating to Sumter County, levying a fee on all hazardous and non-hazardous waste stored, deposited or dumped at a disposal site presently known as Chemical Waste Management, Inc., near Emelle, Sumter County, Alabama; providing for the collection of said fee; providing for the disbursement of said fee; providing for the organizing of the North Sumter County Development Authority; and providing penalties for violation" so as to provide further for redistribution of certain funds and to create the South Sumter County Development Authority.

And said Bill, S. B. 585, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Mitchem	
Aldridge	Denton	Hand	Parsons	
Amari	Dial	Holmes	Sanders	
Barron	Dixon	Horn	Smith (B)	
Bedford	Drinkard	Little	Smith (J)	
Bedsole	Ellis	Menton	Teague	
Bishop	Figures			—25

*Nays:* —0

### RESOLUTIONS

Senator Strong offered the following Senate Resolutions, to-wit:

S. R. 276. COMMENDING PATRICK HENRY STATE JUNIOR COLLEGE IN MONROEVILLE, ALABAMA.

Also:

S. R. 277. CONGRATULATING MRS. OLA G. LOWRY OF LINDEN, ALABAMA, ON THE OCCASION OF HER 98TH BIRTHDAY.



Also:

S. R. 278. COMMENDING MRS. ADAIR GRIFFIN OF JACKSON, ALABAMA, UPON HER ELECTION TO THE ALABAMA BAPTIST HISTORICAL COMMISSION.

Which were filed.

### BUDGET ISOLATION RESOLUTION

On motion of Senator Cooley, the Rules were suspended and the B. I. R., S. B. 567, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton
Amari	Corbett	Hilliard	Parsons
Bailey	Denton	Holmes	Sanders
Barron	Dial	Horn	Smith (J)
Bedsole	Dixon	Langford	Strong
Bishop	Ellis	Little	Teague
Cabaniss	Foshee		

—25

*Nays:*

—0

### BILLS ON THIRD READING RESUMED

Senator Cooley requested and received permission to suspend the Rules in order to bring up the Bill:

S. 567. To repeal Act No. 799, Regular Session 1977, except as to judges who have retired prior to the effective date of this act; to provide a substitute local retirement for circuit judges in the twenty-third judicial circuit; to increase contributions by said judges to the general fund of the county; to allow election to come under the provisions of said act.

And said Bill, S. B. 567, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 1.

*Yeas:*

Senators:	Cooley	Goodwin	Menton
Amari	Corbett	Hilliard	Parsons
Bailey	Denton	Holmes	Sanders
Barron	Dial	Horn	Smith (J)
Bedsole	Dixon	Langford	Strong
Bishop	Ellis	Little	Teague
Cabaniss	Foshee		

—25

*Nay:* Senator Smith (B)

—1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Coburn:

H. 166. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1987.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 166—to the Committee on Finance and Taxation

### BUDGET ISOLATION RESOLUTIONS

On motion of Senator Barron, the Rules were suspended and the B. I. R., S. B. 569, was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Goodwin	Menton	
Aldridge	Corbett	Hand	Mitchem	
Amari	Denton	Hilliard	Parsons	
Barron	Dial	Horn	Sanders	
Bedsole	Dixon	Langford	Strong	
Bishop	Ellis	Little	Teague	
Cabaniss	Foshee			—25

Nays: —0

On motion of Senator Foshee, the Rules were suspended and the B. I. R., H. B. 535, was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Goodwin	Menton	
Aldridge	Dial	Hand	Mitchem	
Barron	Dixon	Hilliard	Parsons	
Bedsole	Drinkard	Holmes	Sanders	
Bishop	Ellis	Horn	Strong	
Cabaniss	Figures	Little	Teague	
Cooley	Foshee			—25

Nays: —0

On motion of Senator Foshee, the Rules were suspended and the B. I. R., H. B. 640, was adopted.

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Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Menton	
Aldridge	Dial	Hand	Mitchem	
Barron	Dixon	Hilliard	Parsons	
Bedsole	Drinkard	Holmes	Sanders	
Bishop	Ellis	Horn	Strong	
Cabaniss	Figures	Little	Teague	
Cooley	Foshee			—25

*Nays:* —0

On motion of Senator Foshee, the Rules were suspended and the B. I. R., H. B. 109, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Hand	Menton	
Aldridge	Denton	Hilliard	Mitchem	
Barron	Dial	Holmes	Parsons	
Bedford	Dixon	Horn	Sanders	
Bedsole	Drinkard	Langford	Strong	
Bishop	Ellis	Little	Teague	
Cabaniss	Foshee			—25

*Nays:* —0

On motion of Senator Foshee, the Rules were suspended and the B. I. R., H. B. 110, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Hand	Menton	
Aldridge	Denton	Hilliard	Mitchem	
Barron	Dial	Holmes	Parsons	
Bedford	Dixon	Horn	Sanders	
Bedsole	Drinkard	Langford	Strong	
Bishop	Ellis	Little	Teague	
Cabaniss	Foshee			—25

*Nays:* —0

On motion of Senator Bedsole, the Rules were suspended and the B. I. R., H. B. 267, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Figures	Little	
Amari	Cooley	Hand	Menton	
Bailey	Denton	Hilliard	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Drinkard	Langford	Teague	
Bishop	Ellis			—25

*Nays:* —0

On motion of Senator Bedsole, the Rules were suspended and the B. I. R., H. B. 295, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Figures	Little	
Amari	Cooley	Hand	Menton	
Bailey	Denton	Hilliard	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Drinkard	Langford	Teague	
Bishop	Ellis			—25

*Nays:* —0

On motion of Senator Bedsole, the Rules were suspended and the B. I. R., H. B. 126, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Figures	Little	
Amari	Cooley	Hand	Menton	
Bailey	Denton	Hilliard	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Drinkard	Langford	Teague	
Bishop	Ellis			—25

*Nays:* —0

On motion of Senator Little, the Rules were suspended and the B. I. R., H. B. 622, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Little	
Aldridge	Cooley	Goodwin	Menton	
Amari	Denton	Hand	Parsons	
Bailey	Dial	Hilliard	Sanders	
Barron	Dixon	Holmes	Strong	
Bedsole	Drinkard	Horn	Teague	
Bishop	Ellis			—25

*Nays:* —0

On motion of Senator deGraffenried, the Rules were suspended and the B. I. R., S. B. 622, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Little	
Amari	Cooley	Hand	Menton	
Bailey	deGraffenried	Hilliard	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Drinkard	Langford	Teague	
Bishop	Ellis			—25

*Nays:* —0

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On motion of Senator deGraffenried, the Rules were suspended and the B. I. R., S. B. 623, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Little	
Amari	Cooley	Hand	Menton	
Bailey	deGraffenried	Hilliard	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Drinkard	Langford	Teague	
Bishop	Ellis			—25

*Nays:*

—0

On motion of Senator Teague, the Rules were suspended and the B. I. R., S. B. 613, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Aldridge	deGraffenried	Goodwin	Mitchem	
Barron	Denton	Hand	Parsons	
Bedford	Dial	Holmes	Sanders	
Bedsole	Dixon	Langford	Strong	
Bishop	Ellis	Little	Teague	
Cabaniss	Figures			—25

*Nays:*

—0

On motion of Senator Horn, the Rules were suspended and the B. I. R., S. B. 324, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Parsons	
Amari	Denton	Goodwin	Sanders	
Barron	Dial	Hilliard	Smith (B)	
Bedford	Dixon	Horn	Smith (J)	
Bedsole	Drinkard	Little	Strong	
Bishop	Ellis	Menton	Teague	
Cabaniss	Figures			—25

*Nays:*

—0

On motion of Senator Horn, the Rules were suspended and the B. I. R., S. B. 325, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Parsons	
Amari	Denton	Goodwin	Sanders	
Barron	Dial	Hilliard	Smith (B)	
Bedford	Dixon	Horn	Smith (J)	
Bedsole	Drinkard	Little	Strong	
Bishop	Ellis	Menton	Teague	
Cabaniss	Figures			—25

*Nays:*

—0

On motion of Senator Horn, the Rules were suspended and the B. I. R., S. B. 326, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Parsons	
Amari	Denton	Goodwin	Sanders	
Barron	Dial	Hilliard	Smith (B)	
Bedford	Dixon	Horn	Smith (J)	
Bedsole	Drinkard	Little	Strong	
Bishop	Ellis	Menton	Teague	
Cabaniss	Figures			—25

*Nays:* —0

On motion of Senator Horn, the Rules were suspended and the B. I. R., S. B. 328, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Parsons	
Amari	Denton	Goodwin	Sanders	
Barron	Dial	Hilliard	Smith (B)	
Bedford	Dixon	Horn	Smith (J)	
Bedsole	Drinkard	Little	Strong	
Bishop	Ellis	Menton	Teague	
Cabaniss	Figures			—25

*Nays:* —0

On motion of Senator Horn, the Rules were suspended and the B. I. R., S. B. 329, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Parsons	
Amari	Denton	Goodwin	Sanders	
Barron	Dial	Hilliard	Smith (B)	
Bedford	Dixon	Horn	Smith (J)	
Bedsole	Drinkard	Little	Strong	
Bishop	Ellis	Menton	Teague	
Cabaniss	Figures			—25

*Nays:* —0

On motion of Senator Horn, the Rules were suspended and the B. I. R., S. B. 330, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Parsons	
Amari	Denton	Goodwin	Sanders	
Barron	Dial	Hilliard	Smith (B)	
Bedford	Dixon	Horn	Smith (J)	
Bedsole	Drinkard	Little	Strong	
Bishop	Ellis	Menton	Teague	
Cabaniss	Figures			—25

*Nays:* —0

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On motion of Senator Horn, the Rules were suspended and the B. I. R., S. B. 331, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Parsons
Amari	Denton	Goodwin	Sanders
Barron	Dial	Hilliard	Smith (B)
Bedford	Dixon	Horn	Smith (J)
Bedsole	Drinkard	Little	Strong
Bishop	Ellis	Menton	Teague
Cabaniss	Figures		

—25

*Nays:* —0

RECESS

At 1:30 P.M., on motion of Senator Foshee, the Senate took a recess subject to the call of the Chair.

The recess period having expired, at 2:30 P.M., the Senate was called to order by Lieutenant Governor Baxley. A quorum of the Senate was present.

BUDGET ISOLATION RESOLUTION

On motion of Senator Dixon, the Rules were suspended and the B. I. R., H. B. 591, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton
Amari	Denton	Hand	Parsons
Bailey	Dial	Hilliard	Sanders
Barron	Dixon	Horn	Smith (J)
Bedsole	Drinkard	Langford	Strong
Bishop	Ellis	Little	Teague
Cabaniss	Figures		

—25

*Nays:* —0

BILLS ON THIRD READING RESUMED

Senator Dixon requested and received permission to suspend the Rules in order to bring up the Bill:

H. 591. Relating to the County of Montgomery, Alabama; to authorize the County of Montgomery to grant County ad valorem tax exemptions for up to fifteen (15) years to owner-developers who build new commercial or industrial facilities within the downtown business district as defined by the governing body of the City of Montgomery, providing that owner-developers receiving such exemptions shall, however, continue to pay County ad valorem property taxes on such property as was paid in the year preceding the improvement caused by the construction or development of the new commercial or industrial facility; to provide that the tax exemption herein shall not effect any taxes other than County ad valorem taxes; and to provide for the procedures to be followed in the granting of such exemptions.

And said Bill, H. B. 591, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Amari	Denton	Hand	Parsons	
Bailey	Dial	Hilliard	Sanders	
Barron	Dixon	Horn	Smith (J)	
Bedsole	Drinkard	Langford	Strong	
Bishop	Ellis	Little	Teague	
Cabaniss	Figures			—25

*Nays:*

—0

### BUDGET ISOLATION RESOLUTION

On motion of Senator Mitchem, the Rules were suspended and the B. I. R., H. B. 96, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Aldridge	Denton	Hand	Mitchem	
Barron	Dial	Holmes	Parsons	
Bedford	Dixon	Horn	Sanders	
Bedsole	Drinkard	Langford	Strong	
Bishop	Ellis	Little	Teague	
Cabaniss	Figures			—25

*Nays:*

—0

### BILLS ON THIRD READING RESUMED

Senator Foshee requested and received permission to suspend the Rules in order to bring up the Bill:

H. 535. To amend the title and Section 1 of Act No. 80-688, H. 1137, of the 1980 Regular Session of the Legislature (Acts 1980, p. 1375), which act provides for hiring and fixing the salaries of certain clerks for the tax assessor and tax collector in Covington County, Alabama, so as to provide further for such salaries and to provide for retroactive effect for said act to October 1, 1982.

And said Bill, H. B. 535, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Menton	
Aldridge	Dial	Hand	Mitchem	
Barron	Dixon	Hilliard	Parsons	
Bedsole	Drinkard	Holmes	Sanders	
Bishop	Ellis	Horn	Strong	
Cabaniss	Figures	Little	Teague	
Cooley	Foshee			—25

*Nays:*

—0



**RESOLUTION**

Senator deGraffenried offered the following Senate Resolution, to-wit:

S. R. 279. COMMENDING MAX LEWIS MORTON OF TUSCALOOSA, ALABAMA, ON THE OCCASION OF HIS RETIREMENT.

Which was filed.

**BILLS ON THIRD READING RESUMED**

The hour of 1:30 P.M. having arrived, the Senate proceeded to further consideration of the Bill:

S. 232. To require notice to a parent prior to performing an abortion on an unemancipated minor who is less than eighteen years old, or any mentally incompetent person, regardless of age, under the guardianship of another, to the extent constitutionally permissible; to provide for the enforcement of this Act; and to prescribe penalties for violations.

Senator Hilliard offered the following amendment No. 1 to the Bill, S. B. 232, to-wit:

**AMENDMENT TO S. B. 232**

Amend Senate Bill 232, Page 4, Section 5, Line 23 by inserting the following language after the word "abortion.":

"Section 3 of this Act shall also not apply when, in the best clinical judgment of a physician licensed to practice medicine in this state on the basis of the facts of the case which are known to him, the unemancipated minor or mentally incompetent person's pregnancy is the result of incestual sexual relations and the written statement of the unemancipated minor attesting to said incestual relations shall be sufficient evidence of such fact, and such physician performing an abortion under the authority of this subsection shall not be required to follow the notice requirements of Section 3 herein."

Which was lost.

Yeas 13; Nays 18.

*Yeas:*

Senators:	Denton	Langford	Smith (B)
Aldridge	Figures	Parsons	Strong
Bedsole	Hilliard	Sanders	Teague
Corbett	Horn		

—13

*Nays:*

Senators:	Cabaniss	Dixon	Hand
Amari	Cooley	Drinkard	Little
Bailey	Covington	Ellis	Menton
Barron	deGraffenried	Foshee	Mitchem
Bishop	Dial	Goodwin	

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**REPORT FROM RULES**

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House

Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 328. COMMENDING THE MONTGOMERY, ALABAMA, PETER CRUMP ELEMENTARY SCHOOL PTA.

On motion of Senator Bishop, the Resolution was then concurred in and adopted by the Senate.

### FURTHER CONSIDERATION OF S. B. 232

The Senate proceeded to further consideration of the Bill, S. B. 232.

Senator Hilliard offered the following amendment No. 2 to the Bill, S. B. 232, to-wit:

### AMENDMENT NO. 2 TO S. B. 232

Amend Senate Bill 232, Page 4, Section 5, Line 23 by inserting the following language after the word "abortion.":

"Section 3 of this Act shall also not apply when, in the best clinical judgment of a physician licensed to practice medicine in this state on the basis of the facts of the case which are known to him, the unemancipated minor or mentally incompetent person's pregnancy is the result of forceful rape to which she did not consent, and the written statement of the unemancipated minor so maintaining that she was in fact raped shall be sufficient basis of such fact and it shall not be deemed necessary to have initiated criminal charges against the alleged assailant to claim the exemption herein, and such physician performing an abortion under the authority of this subsection shall not be required to follow the notice requirements of Section 3 herein."

Which was adopted.

Yeas 15; Nays 12.

*Yeas:*

Senators:	Corbett	Horn	Sanders	
Aldridge	Covington	Langford	Smith (B)	
Bedsole	Figures	Little	Strong	
Bennett	Hilliard	Parsons	Teague	—15

*Nays:*

Senators:	deGraffenried	Dixon	Hand	
Bailey	Denton	Drinkard	Holmes	
Cabaniss	Dial	Goodwin	Menton	
Cooley				—12

Senator Hilliard then offered the following amendment No. 3 to the Bill, S. B. 232, as amended, to-wit:

### AMENDMENT NO. 3 TO S. B. 232, AS AMENDED

Amend Senate Bill 232 at Page 1, Line 11, by deleting the word "eighteen" and insert in lieu thereof "sixteen",

and, at Page 1, Line 18, by deleting the word "eighteen" and inserting the word "sixteen" in lieu thereof,

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and, at Page 2, Line 12, by deleting the word "eighteen" and inserting the word "sixteen" in lieu thereof.

Which was lost.

Yeas 10; Nays 19.

*Yeas:*

Senators:	Corbett	Horn	Strong	
Bedsole	Figures	Langford	Teague	
Bennett	Hilliard	Parsons		—10

*Nays:*

Senators:	Cabaniss	Drinkard	Holmes	
Aldridge	Cooley	Ellis	Little	
Amari	Covington	Foshee	Menton	
Bailey	deGraffenried	Goodwin	Mitchem	
Barron	Denton	Hand	Smith (B)	—19

**MESSAGE FROM THE HOUSE**

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 535. To amend the title and Section 1 of Act No. 80-688, H. 1137, of the 1980 Regular Session of the Legislature (Acts 1980, p. 1375), which act provides for hiring and fixing the salaries of certain clerks for the tax assessor and tax collector in Covington County, Alabama, so as to provide further for such salaries and to provide for retroactive effect for said act to October 1, 1982.

Also:

H. 591. Relating to the County of Montgomery, Alabama; to authorize the County of Montgomery to grant County ad valorem tax exemptions for up to fifteen (15) years to owner-developers who build new commercial or industrial facilities within the downtown business district as defined by the governing body of the City of Montgomery, providing that owner-developers receiving such exemptions shall, however, continue to pay County ad valorem property taxes on such property as was paid in the year preceding the improvement caused by the construction or development of the new commercial or industrial facility; to provide that the tax exemption herein shall not effect any taxes other than County ad valorem taxes; and to provide for the procedures to be followed in the granting of such exemptions.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF BILLS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**FURTHER CONSIDERATION OF S. B. 232**

The Senate proceeded to further consideration of the Bill, S. B. 232, as amended.

Senator Hilliard offered the following amendment No. 4 to the Bill, S. B. 232, as amended, to-wit:

**AMENDMENT NO. 4 TO S. B. 232, AS AMENDED**

Amend Senate Bill 232 at Page 1, Line 11, by deleting the word "eighteen" and insert in lieu thereof "seventeen",

and, at Page 1, Line 18, by deleting the word "eighteen" and inserting the word "seventeen" in lieu thereof,

and, at Page 2, Line 12, by deleting the word "eighteen" and inserting the word "seventeen" in lieu thereof.

Which was lost.

Yeas 12; Nays 22.

*Yeas:*

Senators:	Figures	Horn	Sanders	
Bedsole	Goodwin	Langford	Smith (B)	
Bennett	Hilliard	Parsons	Teague	
Corbett				—12

*Nays:*

Senators:	Cabaniss	Dixon	Little	
Aldridge	Cooley	Drinkard	Menton	
Amari	Covington	Ellis	Mitchem	
Bailey	deGraffenried	Foshee	Smith (J)	
Barron	Denton	Hand	Strong	
Bedford	Dial	Holmes		—22

Senator Hilliard then offered the following amendment No. 5 to the Bill, S. B. 232, as amended, to-wit:

**AMENDMENT NO. 5 TO S. B. 232, AS AMENDED**

Amend Senate Bill 232, Page 4, Section 5, Line 23 by inserting the following language after the word "herein":

"Section 3 of this Act shall also not apply when, in the best judgment of a physician licensed to practice medicine in this state on the basis of the facts of the case which are known to him, the unemancipated minor or mentally incompetent person's pregnancy is the result of incestual sexual relations with a parent, stepparent or grandparent and the written statement of the unemancipated minor attesting to said incestual relations shall be sufficient evidence of such fact, and such physician performing an abortion under the authority of this subsection shall not be required to follow the notice requirements of Section 3."

Which was adopted.

Yeas 25; Nays 3.

Yeas:

Senators:	Cooley	Foshee	Little
Aldridge	Corbett	Goodwin	Sanders
Barron	Covington	Hilliard	Smith (B)
Bedford	deGraffenried	Holmes	Smith (J)
Bedsole	Drinkard	Horn	Strong
Bennett	Ellis	Langford	Teague
Cabaniss	Figures		

—25

Nays:

Senators:	Bailey	Hand	Menton	—3
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Senator Hilliard then offered the following amendment No. 6 to the Bill, S. B. 232, as amended, to-wit:

#### AMENDMENT NO. 6 TO S. B. 232, AS AMENDED

Amend Senate Bill 232 at Page 1, Line 11, by deleting the word "eighteen" and insert in lieu thereof "fourteen"

and, at Page 1, Line 18, by deleting the word "eighteen" and inserting the word "fourteen" in lieu thereof,

and, at Page 2, Line 12, by deleting the word "eighteen" and inserting the word "fourteen" in lieu thereof.

Senator Hilliard moved that further consideration of the Bill, S. B. 232, as amended, and pending amendment be postponed for six Legislative Days.

#### BILL RE-REFERRED

Senator deGraffenried, Chairperson of the Standing Committee on Constitutional Revision, reported that said committee, in session, had acted on the following Bill, H. B. 219, and ordered same returned to the Senate with the recommendation that it be re-referred to another Committee.

And the President and Presiding Officer of the Senate ordered said Bill, H. B. 219, re-referred to the Standing Committee on Judiciary.

#### RESOLUTION

Senator Bedsole requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

S. J. R. 280. DESIGNATING APRIL 4, 1986, AS TREE FARM DAY IN ALABAMA.

WHEREAS, the first tree farm certified in Alabama was in Escambia County on the property of E. N. McCall, April 4, 1942, and today, in Alabama, there are 2,459 tree farmers practicing good forest management on 7,226,418 acres which comprise approximately  $\frac{1}{3}$  of the state's total 21 million forested acres; and

WHEREAS, in addition to supplying timber and related products, Alabama's forests provide many other essential benefits to our citizens such as recreation, wildlife, clean water, fresh air and aesthetic value; and

WHEREAS, Alabama's forest industry generates over \$5 billion annually to the state's economy through the manufacture of forest products, and is the second largest employer in Alabama, employing more than 70,000 of our citizens, both directly and indirectly; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of the importance of the forestry industry in Alabama, and in coincidence with the 44th Anniversary of the first certified tree farm in our State, we hereby name and designate April 4, 1986, as Tree Farm Day in the State of Alabama and further encourage recognition and observance of same throughout the state.

On motion of Senator Bedsole, the Rules were suspended and the Resolution was adopted by the Senate.

#### **FURTHER CONSIDERATION OF S. B. 232**

The Senate proceeded to further consideration of the Bill, S. B. 232, as amended, and pending amendment. The question was on the motion of Senator Hilliard that further consideration of the Bill, S. B. 232, be postponed for six Legislative Days.

On motion of Senator Teague, further consideration of the Bill, S. B. 232, was postponed temporarily

#### **REPORT OF COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 267. Relating to Clay County; providing further for the expense allowance and salary for the county coroner.

Also:

S. 515. Relating to Colbert County and its municipalities for the purpose of said county and municipalities joining with Lauderdale County and its municipalities, for the purpose of forming a Shoals Industrial Development Authority for promoting industry and trade and the development of said counties and cities; to provide for the organization, powers, functions, duties and personnel of such authority, and for the payment of expenses of the authority and for the compensation of its employees.

Also:

S. 518. Relating to Talladega County; providing further for banking business within said county; authorizing any bank which moves its principal offices from the county, into another county, to continue operations in Talladega County as a branch so as to not cause a hardship to its customers.

Also:

S. 532. To authorize the governing body of any Class 7 municipality operating under a commission form of government and organized pursuant to Sections 11-44-1 through 11-44-57 inclusive, Code of Alabama 1975, as

amended, to adopt an ordinance to designate the places and responsibilities of the commissioners of such municipality; to require candidates desiring to run for a place on the commission to qualify for election to the designated place in which they desire to serve; and to prohibit further changes by ordinance once the designations have been made but, on the contrary, to require such additional changes to be authorized by legislative act.

CHARLES BISHOP,  
Chairperson.

### **SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

### **MOTION TO ADJOURN**

At 5:15 P.M., Senator Teague moved that the Senate adjourn until Thursday, April 3, 1986, at 9:59 A.M.

Senator Hand offered a substitute motion that the Senate adjourn until Wednesday, April 2, 1986, at 12:01 A.M., which motion was lost.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Turnham, Rice, and Flowers:

H. 696. To further amend section 17-4-156, Code of Alabama 1975, as amended, relating to the meeting days, so as to authorize certain county boards of registrars to meet additional days if, in the discretion of the chairman of the county commission, it is warranted; to provide for retroactive effect commencing October 1, 1985.

Also:

By Rep. Turnham:

H. 709. To provide an additional county salary supplement for the circuit judges of the thirty-seventh judicial circuit.

Also:

By Reps. Starr and McKee:

H. 746. Relating to the 15th Judicial Circuit of Alabama; providing for and establishing investigators for the district attorney's office; providing for the hiring, salaries, expenses, authority and duties of such investigators and to specifically repeal Act No. 456, S. 394, of the 1973 Regular Session (Acts 1973, p. 645).

Also:

By Rep. Black:

H. 754. To amend Section 33-17-8 of the Code of Alabama 1975, relating to the powers granted to the Tombigbee Valley Development Authority, so as to expand and clarify the powers of said authority with respect to the acquisition, leasing and conveyance of property.

Also:

By Reps. Venable and Mikell:

H. 774. To propose an amendment to the Constitution of Alabama which, if approved by the electors of Elmore County, would authorize the legislature, by general or local law, to provide for the creation, incorporation, organization, operation, administration and financing of one or more local districts within Elmore County as public corporations to provide local public services, including the fighting and prevention of fires and the operation of emergency medical services, including rescue and ambulance services, to provide for the fixing, levy and collection by such districts of rates, fees and charges for such services, penalties for nonpayment and liens upon the property within such districts; and to provide for the borrowing of money and the issuance of bonds and other obligations by or on behalf of such districts.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 696 and 709—to the Committee on Local Legislation No. 1

H. B.'s 746 and 754—to the Committee on Governmental Affairs

H. B. 774—to the Committee on Constitutional Revision

(The above Bill, H. B. 774, was read a first time at length as required by the Constitution.)

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Johnson (RW) and Melton (With Notice and Proof):

H. 799. To authorize the governing body of Tuscaloosa County, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Tuscaloosa County, on all taxable property situated within the special school tax district subject to the jurisdiction and control of the Tuscaloosa City Board of Education, the special ad valorem tax for public school purposes which is authorized in Section 2 of Amendment No. 3 to the Constitution, to a maximum rate, for any tax year of the county, which, when added to



the rate at which there is being levied and collected in the said special school tax district for such tax year a special ad valorem tax for educational purposes pursuant to Amendment No. 164 to the Constitution, does not exceed \$1.55 on each one hundred dollars (15.5 mills on each dollar) of assessed value.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 799, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 799—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Johnson (RW) and Melton:

H. 800. To propose an amendment to the Constitution of Alabama relating to the levy and collection of special property taxes for public school purposes in the Special School Tax District in Tuscaloosa County, Alabama, which is under the jurisdiction and control of the Tuscaloosa City Board of Education.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 800—to the Committee on Local Legislation No. 1

(The above Bill was read a first time at length as required by the Constitution.)

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Reps. Onderdonk and Drake:

H. 623. Relating to the regulation of the production of oil and gas in this State; to amend Section 9-17-1, Code of Alabama 1975, to define oil to include products resulting from the cleansing, processing or refining of oil,

to define gas to include occluded natural gas found in coalbeds, other liquid or gaseous hydrocarbons not defined as oil, and all products resulting from the cleansing, processing or refining of all other liquid or gaseous hydrocarbons not defined as oil, to define an oil or gas pool, to define an oil or gas field, to define waste to permit gas produced from a gas well to escape into the air for safety reasons, to define product as any commodity made from or is a result of cleansing, processing or refining oil or gas, including sulfur or any other commodity, and to define NGPA as the federal Natural Gas Policy Act of 1978; to amend Section 9-17-6, Code of Alabama 1975, to authorize the Board to regulate enhanced recovery methods, including Class II injection wells; to amend Section 9-17-7, Code of Alabama 1975, to authorize the State Oil and Gas Board to delegate power and authority to a hearing officer; to amend Section 9-17-13, Code of Alabama 1975, to clarify the definition of enhanced recovery methods; to amend Section 9-17-24, Code of Alabama 1975, to authorize the Board to collect filing fees and application fees, to establish the Alabama State Oil and Gas Board Special Fund, and to provide that well permit fees, filing fees, and application fees shall be paid into the Alabama State Oil and Gas Board Special Fund; to amend Sections 9-17-25, 9-17-26, and 9-17-31, Code of Alabama 1975, to clarify the definition of oil and gas and to provide for a 2% production tax on sulfur or any other sulfur related products; to amend Section 40-20-1, Code of Alabama 1975, to define oil to include products resulting from the cleansing, processing or refining of oil, to define gas to include occluded natural gas found in coalbeds, other liquid or gaseous hydrocarbons not defined as oil, and all products resulting from the cleansing, processing or refining of all other liquid or gaseous hydrocarbons not defined as oil, and to define product as any commodity made from or is a result of cleansing, processing or refining oil or gas, including sulfur or any other commodity; to amend Section 40-20-2, Code of Alabama 1975, to change the depth level from greater than 18,000 feet to greater than 6,000 feet for all oil or gas now produced from offshore production which is subject to the reduced 6% privilege levy and to provide an 8% privilege tax on sulfur or any other sulfur related products resulting from the cleansing, processing or refining of oil or gas; and to amend Section 40-20-8, Code of Alabama 1975, so as to provide further for the distribution of certain severance tax revenue derived from sulfur or sulfur related products.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 623—to the Committee on Finance and Taxation

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Coburn:

H. 167. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1987.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 167—to the Committee on Finance and Taxation

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Rep. Britnell (With Notice and Proof):

H. 705. Relating to Franklin County; to create a motor vehicle license division within the tax assessor's office for the issuance of motor vehicle licenses; to provide for a certain computerized branch office at Red Bay, Alabama; to provide certain duties for the division; to provide a procedure for handling cases involving invalid personal checks given for licenses and the voiding of such licenses; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; to provide that such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; to provide for the issuance of motor vehicle licenses by the tax assessor's office and to transfer certain duties now performed by the probate judge and tax collector to said tax assessor.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 705, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 705—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Rep. Turner (With Notice and Proof):

H. 783. Relating to Mobile County; establishing a race track regulating authority for motor cross racing or stock car racing or horse racing in Mobile County.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 783, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 783—to the Committee on Local Legislation No. 3

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Reps. Carothers, Mathis, and Beasley:

H. 537. To authorize the city council of any Class 5 municipality with a city manager, mayor commission form of government to adopt an alternate structure for any planning commission created pursuant to Section 11-52-3, Code of Alabama 1975, and to authorize the city councils to provide by ordinance for the appointment of such commission.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 537—to the Committee on Governmental Affairs

**RESOLUTION**

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 281. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business

taking precedence over all other matters on adoption for the twenty-fourth legislative day of the 1986 Regular Session only:

Inst Id		Page
S. 105	State employees, cost of living raise provided and funds appropriated for fiscal year ending September 31, 1987.	118
S. 462	Forest Fire Fund, approp. incr.,	118
S. 625	Board of Reg., expense allow, incr.	114

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Holley:

H. 59. To amend Act No. 85-123 of the First Special Session, 1985, to provide clarifications as to how funds appropriated to the State Soil and Water Conservation Development Commission may be expended.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 59—to the Committee on Agriculture, Conservation, and Forestry

### REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bills delivered to the Governor, with the date and hour of delivery, to-wit:

S. B. 267

S. B. 515

S. B. 518

S. B. 532

Delivered to the Governor, April 1, 1986, at 5:25 P.M.

McDOWELL LEE,  
Secretary of Senate.

### SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

**ADJOURNMENT**

At 5:55 P. M., on motion of Senator deGraffenried, the Senate adjourned until Thursday, April 3, 1986, at 10 o'clock A. M.

Yeas 15; Nays 13.

*Yeas:*

Senators:	Covington	Goodwin	Parsons	
Aldridge	deGraffenried	Horn	Sanders	
Bedsole	Denton	Langford	Smith (B)	
Bishop	Figures	Menton	Teague	—15

*Nays:*

Senators:	Cabaniss	Foshee	Holmes	
Amari	Corbett	Hand	Little	
Bailey	Dixon	Hilliard	Strong	
Bedford	Drinkard			—13

## **TWENTY-FIFTH LEGISLATIVE DAY**

**THURSDAY, APRIL 3, 1986**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

### **PRAYER**

The Session was opened with prayer by the Reverend John H. Jeffers, Pastor, First Baptist Church, Auburn, Alabama.

### **PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Michael Everett, Northview High School, Dothan, Alabama.

### **ROLL CALL**

Present:

Senators:	Cabaniss	Ellis	Little
Aldridge	Cooley	Figures	Menton
Amari	Corbett	Foshee	Mitchem
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hand	Sanders
Bedford	Denton	Hilliard	Smith (B)
Bedsole	Dial	Holmes	Smith (J)
Bennett	Dixon	Horn	Strong
Bishop	Drinkard	Langford	Teague

—35

### **JOURNAL**

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

### **REPORT OF COMMITTEE**

#### **ON RULES ON**

#### **REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Fourth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

### **COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Fourth Legislative Day was approved by the Senate.

## BUDGET ISOLATION RESOLUTIONS

Senator Bedford requested and received permission to suspend the Rules in order to offer B. I. R., S. B. 643.

On motion of Senator Bedford, the Rules were suspended and the B. I. R., S. B. 643, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Figures	Little	
Aldridge	Cooley	Foshee	Menton	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Drinkard	Langford	Teague	
Bennett	Ellis			—25

*Nays:* —0

Senator Strong requested and received permission to suspend the Rules in order to offer B. I. R., H. B. 771.

On motion of Senator Strong, the Rules were suspended and the B. I. R., H. B. 771, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Aldridge	Denton	Hand	Mitchem	
Bailey	Dial	Holmes	Parsons	
Barron	Dixon	Horn	Sanders	
Bedsole	Drinkard	Langford	Strong	
Bennett	Ellis	Little	Teague	
Cabaniss	Figures			—25

*Nays:* —0

Senator Bedford requested and received permission to suspend the Rules in order to offer B. I. R., S. B. 647, B. I. R., S. B. 648, B. I. R., S. B. 649, and B. I. R., S. B. 644.

On motion of Senator Bedford, the Rules were suspended and the B. I. R., S. B. 647, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Aldridge	Denton	Hand	Mitchem	
Bailey	Dial	Holmes	Parsons	
Bedford	Dixon	Horn	Sanders	
Bedsole	Drinkard	Langford	Strong	
Bennett	Ellis	Little	Teague	
Cabaniss	Figures			—25

*Nays:* —0



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Also:

On motion of Senator Bedford, the Rules were suspended and the B. I. R., S. B. 648, was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Aldridge	Denton	Hand	Mitchem
Bailey	Dial	Holmes	Parsons
Bedford	Dixon	Horn	Sanders
Bedsole	Drinkard	Langford	Strong
Bennett	Ellis	Little	Teague
Cabaniss	Figures		

—25

Nays: —0

Also:

On motion of Senator Bedford, the Rules were suspended and the B. I. R., S. B. 649, was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Aldridge	Denton	Hand	Mitchem
Bailey	Dial	Holmes	Parsons
Bedford	Dixon	Horn	Sanders
Bedsole	Drinkard	Langford	Strong
Bennett	Ellis	Little	Teague
Cabaniss	Figures		

—25

Nays: —0

Also:

On motion of Senator Bedford, the Rules were suspended and the B. I. R., S. B. 644, was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Aldridge	Denton	Hand	Mitchem
Barron	Dial	Hilliard	Parsons
Bedford	Dixon	Horn	Sanders
Bedsole	Drinkard	Langford	Strong
Bennett	Ellis	Little	Teague
Cabaniss	Figures		

—25

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 328. COMMENDING THE MONTGOMERY, ALABAMA,  
PETER CRUMP ELEMENTARY SCHOOL PTA.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 671. Relating to Lauderdale County and its municipalities for the purpose of said county and municipalities joining with Colbert County and its municipalities, for the purpose of forming a Shoals Industrial Development Authority for promoting industry and trade and the development of said counties and cities; to provide for the organization, powers, functions, duties and personnel of such authority, and for the payment of expenses of the authority and for the compensation of its employees.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

### BUDGET ISOLATION RESOLUTIONS

Senator Strong requested and received permission to suspend the Rules to offer the B. I. R., H. B. 698 and B. I. R., H. B. 691.

On motion of Senator Strong, the Rules were suspended and the B. I. R., H. B. 698, was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Aldridge	Denton	Hand	Mitchem
Barron	Dial	Hilliard	Parsons
Bedsole	Dixon	Horn	Sanders
Bennett	Drinkard	Langford	Strong
Bishop	Ellis	Little	Teague
Cabaniss	Figures		

—25

Nays:

—0

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Also:

On motion of Senator Strong, the Rules were suspended and the B. I. R., H. B. 691, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Aldridge	Denton	Goodwin	Mitchem	
Barron	Dial	Hand	Parsons	
Bedsole	Dixon	Holmes	Sanders	
Bennett	Drinkard	Horn	Strong	
Bishop	Ellis	Little	Teague	
Cabaniss	Figures			—25

*Nays:* —0

Senator Holmes requested and received permission to suspend the rules to offer the B. I. R., H. B. 689.

On motion of Senator Holmes, the Rules were suspended and the B. I. R., H. B. 689, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Amari	Denton	Hand	Mitchem	
Barron	Dial	Holmes	Parsons	
Bedsole	Dixon	Horn	Sanders	
Bennett	Drinkard	Langford	Strong	
Bishop	Ellis	Little	Teague	
Cabaniss	Figures			—25

*Nays:* —0

Senator Corbett requested and received permission to suspend the Rules to offer the B. I. R., H. B. 741.

On motion of Senator Corbett, the Rules were suspended and the B. I. R., H. B. 741, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Menton	
Aldridge	Denton	Hand	Mitchem	
Barron	Dial	Holmes	Parsons	
Bedsole	Dixon	Horn	Sanders	
Bennett	Ellis	Langford	Strong	
Cabaniss	Figures	Little	Teague	
Cooley	Foshee			—25

*Nays:* —0

Senator Teague requested and received permission to suspend the Rules in order to offer B. I. R., H. B. 775.

On motion of Senator Teague, the Rules were suspended and the B. I. R., H. B. 775, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Hilliard	Mitchem	
Aldridge	Dial	Holmes	Parsons	
Bailey	Dixon	Horn	Sanders	
Bedsole	Drinkard	Langford	Smith (B)	
Bennett	Ellis	Little	Smith (J)	
Cabaniss	Foshee	Menton	Teague	
Cooley	Hand			—25

*Nays:* —0

### INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Little (With Notice and Proof):

S. 659. Relating to Lee County; to require the installation and maintenance of an improved system of indexing documents affecting the title to property and other documents recorded in the Office of the Judge of Probate; to provide the collection and disposition of a special indexing fee; and to provide that said system shall constitute official permanent records in Lee County.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 659, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Bedford (With Notice and Proof):

S. 660. Relating to Fayette County, amending Act No. 82-743, H. 24, 1982 Special Session, providing for the disposal of property under the control of the county commission, so as to provide further for the disposal of said property.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 660, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Goodwin:

S. 661. To repeal Section 28-1-3, Code of Alabama 1975, which provides that any person 19 years of age or over who is on active duty, in active reserve status or retired from the armed forces of the United States, or the dependent of such person, or is otherwise eligible to purchase alcoholic beverages from military package or liquor stores, shall be entitled to have in his possession, in his motor vehicle, or a private residence or place of

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private residence or the curtilage thereof in any county in this state, for his own private use and not for resale, certain quantities of alcoholic beverages.

Committee on Buildings and Grounds.

By Senator Dial (With Notice and Proof):

S. 662. Relating to Chambers County; providing that it shall be unlawful for anyone to willfully throw or cast headlights or any rays of artificial light from any motor vehicle in any field, woodland or forest in an attempt to locate deer or any other wildlife with the exception of farmers who may do so while checking livestock on owned, leased or rented land; and providing for penalties.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 662, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Cooley (With Notice and Proof):

S. 663. To provide for the filing for record and the preservation of all orders and decrees made and entered by any Judge of the Circuit Court of the 23rd Judicial Circuit.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 663, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Drinkard:

S. 664. To amend section 6-5-200 of the Code of Alabama 1975, relating to adverse possession; so as to provide further that the payment of taxes on land shall defeat a claim of adverse possession.

Committee on Judiciary.

By Senator Ellis (With Notice and Proof):

S. 665. To alter and rearrange the boundaries of the city of Pelham in Shelby County, so as to exclude and include certain territory from the corporate limits of the city.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 665, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Parsons (With Notice and Proof):

S. 666. To relate to the City of Bessemer in Jefferson County; to require that certain employees of the Bessemer Electric Service receive overtime pay or compensatory leave under certain circumstances.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 666, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senators Bennett and Bedford:

S. 667. To amend further section 22-30-4, Code of Alabama 1975, relating to the regulatory and investigative authority of the Alabama department of environmental management, so as to further authorize the board to provide training for firemen, volunteer firemen and personnel of all emergency management agencies in the handling of toxic waste spills along the highways; and to levy an additional tax of \$1.00 per ton on all waste at disposal sites to finance the training program.

Committee on Governmental Affairs.

By Senator Langford:

S. 668. To extend the qualifying date for primary elections in certain counties which have local legislation introduced or enacted changing county commissions and school boards from at-large to single-member districts.

Committee on Governmental Affairs.

By Senator Hand (With Notice and Proof):

S. 669. Relating to Baldwin County, to alter, rearrange and add to the limits of the Town of Orange Beach in Baldwin County, Alabama, and to describe the area so added to the Town of Orange Beach.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 669, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Cooley:

S. 670. To allow any circuit judge who held office any time between 1952 and 1958 and served Barbour, Bullock and Dale Counties and who has prior and/or present service as Governor to have such service credited as time in the judicial retirement system and combined with actual service credit, conditioned upon such judge paying into the judicial retirement system the proper amount of contribution for actual service credit and a sum equal to 6% of his respective annual Governor's salary for each year of such credit. It allows a period in which to purchase such earned credit.

Committee on Buildings and Grounds.

By Senator Ellis (With Notice and Proof):

S. 671. To alter and rearrange the boundaries of the city of Helena in Shelby County, so as to exclude and include certain territory from the corporate limits of the city.

Committee on Local Legislation No. 1.

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I hereby certify that the notice and proof is attached to the Bill, S. B. 671, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Langford:

S. 672. To provide that full-time employees and executive officers of the various local education associations in this state may elect to become members of the teachers' retirement system of Alabama and to provide that such associations and their employees shall assume all costs thereof, both contributory and administrative, so that no cost shall devolve upon the state.

Committee on Governmental Affairs.

By Senators Parsons, Amari, Hilliard, Cabaniss, Bennett, and Horn:

S. 673. To create The George C. Wallace Endowment Fund at the University of Alabama at Birmingham for purposes of human biomedical research and sciences, for teaching programs and delivery of state-of-the-art, high quality tertiary human medical care, including "big science" methodology and other broad spectrum of expertise, synergistic program development; to provide for its purposes, goals, operations, and funding; to establish an advisory board for biomedical research development, their powers and responsibilities, terms and appointment; to make a supplemental appropriation, commencing October 1, 1987, from the general fund of the state treasury from certain trust income, not including corpus.

Committee on Finance and Taxation.

**BUDGET ISOLATION RESOLUTIONS**

Senator Sanders requested and received permission to suspend the Rules in order to offer B. I. R., S. B. 637 and B. I. R., S. B. 638.

On motion of Senator Sanders, the Rules were suspended and the B. I. R., S. B. 637, was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hand	Mitchem
Aldridge	Dial	Hilliard	Parsons
Barron	Dixon	Horn	Sanders
Bedsole	Drinkard	Langford	Smith (B)
Bennett	Ellis	Little	Smith (J)
Cabaniss	Figures	Menton	Teague
Cooley	Foshee		

—25

Nays:

—0

Also:

On motion of Senator Sanders, the Rules were suspended and the B. I. R., S. B. 638, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Mitchem	
Aldridge	Dial	Hilliard	Parsons	
Barron	Dixon	Horn	Sanders	
Bedsole	Drinkard	Langford	Smith (B)	
Bennett	Ellis	Little	Smith (J)	
Cabaniss	Figures	Menton	Teague	
Cooley	Foshee			—25

*Nays:* —0

Senator Dial requested and received permission to suspend the Rules in order to offer B. I. R., H. B. 692.

On motion of Senator Dial, the Rules were suspended and the B. I. R., H. B. 692, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Mitchem	
Aldridge	Dial	Holmes	Parsons	
Barron	Dixon	Horn	Sanders	
Bedsole	Drinkard	Langford	Smith (J)	
Bennett	Ellis	Little	Strong	
Cabaniss	Figures	Menton	Teague	
Cooley	Foshee			—25

*Nays:* —0

Senator Denton requested and received permission to suspend the Rules in order to offer B. I. R., H. B. 688.

On motion of Senator Denton, the Rules were suspended and the B. I. R., H. B. 688, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Mitchem	
Aldridge	Denton	Hand	Parsons	
Barron	Dial	Holmes	Smith (B)	
Bedford	Dixon	Horn	Smith (J)	
Bedsole	Ellis	Little	Strong	
Bennett	Figures	Menton	Teague	
Cabaniss	Foshee			—25

*Nays:* —0

Senator Drinkard requested and received permission to suspend the Rules in order to offer B. I. R., H. B. 346 and H. B. 19.

On motion of Senator Drinkard, the Rules were suspended and the B. I. R., H. B. 346, was adopted.



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Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Menton	
Amari	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Sanders	
Bennett	Drinkard	Horn	Smith (B)	
Bishop	Ellis	Langford	Smith (J)	
Cabaniss	Figures	Little	Teague	
Corbett	Foshee			—25

*Nays:* —0

Also:

On motion of Senator Drinkard, the Rules were suspended and the B. I. R., H. B. 19, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Menton	
Amari	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Sanders	
Bennett	Drinkard	Horn	Smith (B)	
Bishop	Ellis	Langford	Smith (J)	
Cabaniss	Figures	Little	Teague	
Corbett	Foshee			—25

*Nays:* —0

Senator Goodwin requested and received permission to suspend the Rules in order to offer B. I. R., H. B. 687.

On motion of Senator Goodwin, the Rules were suspended and the B. I. R., H. B. 687, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Menton	
Aldridge	Dial	Hand	Mitchem	
Barron	Dixon	Holmes	Parsons	
Bedsole	Drinkard	Horn	Sanders	
Bennett	Ellis	Langford	Strong	
Cabaniss	Figures	Little	Teague	
Cooley	Foshee			—25

*Nays:* —0

Senator Hand, B. I. R., S. B. 554, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Goodwin	Menton	
Aldridge	Dial	Hand	Mitchem	
Bailey	Dixon	Holmes	Parsons	
Bedford	Drinkard	Horn	Sanders	
Bedsole	Ellis	Langford	Strong	
Bishop	Figures	Little	Teague	
Cooley	Foshee			—25

Nays:

—0

Senator Ellis, B. I. R., S. B. 511, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Goodwin	Mitchem	
Aldridge	Dial	Hand	Parsons	
Barron	Dixon	Hilliard	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bennett	Ellis	Little	Strong	
Cabaniss	Figures	Menton	Teague	
Cooley	Foshee			—25

Nays:

—0

Senator Ellis requested and received permission to suspend the Rules in order to offer B. I. R., S. B. 383.

On motion of Senator Ellis, the Rules were suspended and the B. I. R., S. B. 383, was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Goodwin	Mitchem	
Aldridge	Dial	Hand	Parsons	
Barron	Dixon	Hilliard	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bennett	Ellis	Little	Strong	
Cabaniss	Figures	Menton	Teague	
Cooley	Foshee			—25

Nays:

—0

### REPORTS OF COMMITTEES

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Rep. Coburn (With Substitute) (With Amendments):

H. 166. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions

of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1987.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Denton:

S. 143. Relating to the eradication and control of swine diseases; to make a conditional appropriation to the Department of Agriculture and Industries for the fiscal year ending September 30, 1987, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

By Senator Denton:

S. 289. To provide for a certain cost-of-living increase to all surviving beneficiaries of members of the Employees' Retirement System of Alabama who became eligible for such benefits prior to October 1, 1986; to provide that no survivor beneficiary of an employee under the Employees' Retirement System whose benefits are based primarily upon service as an employee of an employer participating under Section 36-27-6 of the Code of Alabama 1975 shall be entitled to receive said increase unless the employer by which such employee was employed elects to come under the provisions of this act; to provide that any person whose eligibility to receive Medicaid benefits would be impaired by the increase granted herein shall not be entitled to receive said increase; and to provide that such increase shall not apply to persons receiving benefits under the Judicial Retirement Fund of Alabama.

By Senator Little:

S. 371. To exempt The Garden Clubs of Alabama, Inc., from the payment of all state, county and municipal sales and use taxes.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Bedford (With Substitute):

S. 375. To make an appropriation from the state general fund to the various county emergency management agencies to reduce their funding deficits caused by curtailment of adequate funding.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Teague:

S. 386. To amend Section 36-21-2 of the Code of Alabama 1975, relating to subsistence allowance for certain law enforcement officers, so as to provide further for such allowance.

Senator Little, Vice Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Reps. Onderdonk and Drake (With Substitute):

H. 623. Relating to the regulation of the production of oil and gas in this State; to amend Section 9-17-1, Code of Alabama 1975, to define oil to include products resulting from the cleansing, processing or refining of oil, to define gas to include occluded natural gas found in coalbeds, other liquid or gaseous hydrocarbons not defined as oil, and all products resulting from the cleansing, processing or refining of all other liquid or gaseous hydrocarbons not defined as oil, to define an oil or gas pool, to define an oil or gas field, to define waste to permit gas produced from a gas well to escape into the air for safety reasons, to define product as any commodity made from or is a result of cleansing, processing or refining oil or gas, including sulfur or any other commodity, and to define NGPA as the federal Natural Gas Policy Act of 1978; to amend Section 9-17-6, Code of Alabama 1975, to authorize the Board to regulate enhanced recovery methods, including Class II injection wells; to amend Section 9-17-7, Code of Alabama 1975; to authorize the State Oil and Gas Board to delegate power and authority to a hearing officer; to amend Section 9-17-13, Code of Alabama 1975, to clarify the definition of enhanced recovery methods; to amend Section 9-17-24, Code of Alabama 1975, to authorize the Board to collect filing fees and application fees, to establish the Alabama State Oil and Gas Board Special Fund, and to provide that well permit fees, filing fees, and application fees shall be paid into the Alabama State Oil and Gas Board Special Fund; to amend Sections 9-17-25, 9-17-26, and 9-17-31, Code of Alabama 1975, to clarify the definition of oil and gas and to provide for a 2% production tax on sulfur or any other sulfur related products; to amend Section 40-20-1, Code of Alabama 1975, to define oil to include products resulting from the cleansing, processing or refining of oil, to define gas to include occluded natural gas found in coalbeds, other liquid or gaseous hydrocarbons not defined as oil, and all products resulting from the cleansing, processing or refining of all other liquid or gaseous hydrocarbons not defined as oil, and to define product as any commodity made from or is a result of cleansing, processing or refining oil or gas, including sulfur or any other commodity; to amend Section 40-20-2, Code of Alabama 1975, to change the depth level from greater than 18,000 feet to greater than 6,000 feet for all oil or gas now produced from offshore production which is subject to the reduced 6% privilege levy and to provide an 8% privilege tax on sulfur or any other sulfur related products resulting from the cleansing, processing or refining of oil or gas; and to amend Section 40-20-8, Code of Alabama 1975, so as to provide further for the distribution of certain severance tax revenue derived from sulfur or sulfur related products.

Senator Little, Vice Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Bedford, Foshee, and Covington:

S. 3. To amend Section 40-18-19 of the Code of Alabama 1975 relating to income tax exemptions, so as to exempt the first \$10,000.00 of payments made under private pension plans.

By Senator Holmes:

S. 563. To amend Section 16-13-120 of the Code of Alabama of 1975 pertaining to county boards of education and city boards of education so as to permit said boards of education to issue interest-bearing warrants payable from the proceeds of any ad valorem tax equivalent that is apportioned by local act of the Legislature of Alabama, and also to raise the maximum rate of interest to be borne by such warrants from 8% per annum to 12% per annum.

By Senator Mitchem:

S. 630. To permit the Alabama Housing Finance Authority to relinquish portions of the State tax-exempt, non-essential function bond volume cap to which it is entitled in calendar year 1986 under a certain proposed federal law.

Senator Little, Vice Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Mitchem (With Substitute):

S. 71. To provide that persons now employed by two-year public colleges of the State of Alabama who were employed by said institutions prior to such time as said institutions became state supported, to purchase credit for up to eleven years for such service under the Teachers' Retirement System of Alabama.

Senator Little, Vice Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Mitchem:

S. 631. To amend Section 24-1A-9, Code of Alabama 1975, relating to the limitation on issuance of bonds by the Alabama Housing Finance Authority.

By Senators Foshee and Smith (J):

S. 617. To amend section 40-18-20, Code of Alabama 1975, so as to provide that the retirement income of military personnel shall be exempt from state, county, and municipal income taxes.

By Senators Bedford and Bishop:

S. 641. Relating to the 24th judicial circuit, so as to provide that the presiding judge shall receive a monthly expense allowance from the district attorney's fund in the county in which he has his principal office.

By Senators Bedford and Bishop:

S. 642. To reopen the employees' retirement system for circuit court clerical employees to purchase retirement credit for any prior period of employment of five years or more in the office of a district attorney; and

to provide for the purchase of said credit at the rate of five percent of the total salary for such period of time.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator deGraffenried (With Substitute):

S. 381. Relating to civil liability for selling or furnishing alcoholic beverages unlawfully; to provide liability only for selling, giving or otherwise disposing of alcoholic beverages directly to a minor or in an unlawful manner directly to a person causing intoxication; to limit exemplary damages to willful or wanton acts; to define vendor; to provide liability for sales by the vendor itself or by or through its agents, servants and employees; to amend Code of Alabama 1975, §§6-5-70 and 6-5-71; and to repeal all laws or parts of law in conflict herewith.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Reps. Box, Marietta, and Fuller (With Amendment):

H. 184. The Probate Court shall have authority and the duty to appoint any suitable person or agency, public or private, including a private association or non-profit corporation as a guardian" for a developmentally disabled person.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Strong and Dial:

S. 586. To amend Section 6-5-332 of the Code of Alabama 1975, relating to liability for civil damages as the result of rendering emergency care to certain injured persons, so as to include immunity to certain other persons.

By Senators Denton, Teague, Mitchem, Foshee, Holmes, Covington, Bailey, Smith (J), Menton, Bedford, Dixon, Hand, Aldridge, Cabaniss, Amari, Goodwin, Strong, Bennett, Dial, Little, Bedsole, deGraffenried, and Horn:

S. 101. Relating to all civil actions in tort, contract or otherwise against architects and engineers arising out of any defect or deficiency in the design, planning, testing, supervision, administration or observation of construction of an improvement on or to real property, or against builders who construct, or perform or manage construction of, an improvement on or to real property designed by and constructed under the supervision of an architect or engineer, arising out of any defect or deficiency in the construction of an improvement on or to real property; to provide a definite statute of limitations of three years after a cause of action accrues or arises in all such actions; to provide a bar to relief for all causes of action and to all rights of action which accrue more than seven years after the substantial completion of construction of an improvement on or to the real property; to provide when a cause of action accrues or arises; to provide that this Act does not apply to causes of action which have accrued prior to its effective date; to provide that this Act does not create any cause of action against such architects or engineers

or builders or any other persons; to define terms; and to repeal all conflicting laws.

By Reps. Carter and Butler:

H. 456. To create the crime of theft by fraudulent leasing or rental of property from a person licensed to lease personal property where the lessee gives a false or fictitious name or address, or where the lessee fails to return the leased property to the place or within the time specified in the rental agreement; to provide for making a demand on the lessee to return the leased property within a specified time, and to provide that a failure to return the leased property within the specified time, after demand, shall constitute prima facie evidence that the leasing or rental of the property was fraudulent, and that lessee intended, knew or expected that he would not perform the terms of the rental agreement at the time it was made; provide that the fraudulent leasing or rental of property having a value of \$100.00 or less shall be a Class A misdemeanor, and if property has a value of \$100.00 or more, the fraudulent leasing or rental shall be a Class C felony, and to repeal Section 8-1-64, Code of Alabama 1975.

By Senators Menton, Cooley, and Holmes:

S. 418. To create the crime of theft by fraudulent leasing or rental of property from a person licensed to lease personal property where the lessee gives a false or fictitious name or address, or where the lessee fails to return the leased property to the place or within the time specified in the rental agreement; to provide for making a demand on the lessee to return the leased property within a specified time, and to provide that a failure to return the leased property within the specified time, after demand, shall constitute prima facie evidence that the leasing or rental of the property was fraudulent, and that lessee intended, knew or expected that he would not perform the terms of the rental agreement at the time it was made; and to provide that the fraudulent leasing or rental of property having a value of \$100.00 or less shall be a Class A misdemeanor, and if property has a value of \$100.00 or more, the fraudulent leasing or rental shall be a Class C felony.

By Senator Teague:

S. 144. To amend Section 14-3-9, Code of Alabama 1975, relating to the reporting of violations of law and arrest powers by and for Department of Corrections personnel, so as to provide certain specified employees of the Department of Corrections with full and unlimited police powers and jurisdiction as any other state police officer.

By Rep. Campbell:

H. 133. To adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1984 Second Special Session and the 1985 First Special and Regular Sessions of the legislature, as contained in the 1985 Cumulative Supplement to the Code of Alabama 1975, and to make certain corrections in such cumulative supplement.

By Rep. Biddle:

H. 39. To provide circumstances when a person shall be guilty of committing the crime of submitting a false or fraudulent application for a certificate of qualification or license to practice medicine; to provide that

any person guilty of the crime of submitting a false or fraudulent application shall be guilty of a Class C felony; to provide for the severability of the provisions of this Act; to provide for the repeal of all laws in conflict with this Act; and to provide an effective date for this Act.

By Senator Menton:

S. 277. To amend Section 13A-10-10 of the Code of Alabama 1975, relating to the crime of impersonating a public servant, so as to further define said crime and to increase the penalties for violation.

By Senator Teague:

S. 389. To make the illegal possession of food stamps a criminal offense and to prescribe the punishment for the commission of such crime.

By Senator Langford:

S. 411. Relating to deputy circuit clerks; to repeal Section 17-2-8, Code of Alabama 1975, which provides for the election of deputy circuit clerks in counties having more than 5 circuit judges; and repealing Section 12-17-99, Code of Alabama 1975, which relates to the supplemental salary of elected deputy circuit clerks.

By Senator Teague:

S. 519. To amend Sections 12-19-71 and 12-19-72 of the Code of Alabama 1975, relating to court fees and the distribution of such fees, so as to provide further for such fees and distribution.

By Reps. Martin, Smith, Goodwin, Grouby, McKee, Starr, Hooper, Johnson (RW), Crow, Beers, Bachus, Biddle, Seibels, Bugg, Coleman, Butler, Richardson, Junkins, Payne, Newman, Lauderdale, Lindsey, Harvey, Adams, McNair, Buskey (JL), Rains, Hammett, Venable, White (L), Faulk, Nicholson, Mathis, Beasley, Warren, McMillan, Carothers, Penry, Fuller, Harper, Carter, Gaston, Blakeney, Bryant, Laird, Johnson (RG), Buskey (JE), Box, Flowers, Gray, Clark (J), Cosby, Pratt, Perdue, White (G), Melton, Burke, Browder, Mitchell, Marietta, Zoghby, Kvalheim, Kennedy, White (F), Campbell, Britnell, Bowling, and Hettinger:

H. 313. To amend Sections 36-25-1, 36-25-14 and 36-25-27, Code of Alabama, so as to delete the definition of "legislative employee"; add the definition of "statement of economic interests"; to provide further for the filing of statement of economic interests by public officials and certain public employees; and to provide further for penalties for violations.

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Black:

H. 754. To amend Section 33-17-8 of the Code of Alabama 1975, relating to the powers granted to the Tombigbee Valley Development Authority, so as to expand and clarify the powers of said authority with respect to the acquisition, leasing and conveyance of property.

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the



following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Foshee (With Amendment):

S. 564. To amend Section 12-13-33, Code of Alabama 1975, so as to provide for an increase in the amount of the bond of probate judges and chief clerks in probate offices; and further provides for the bond of county commission chairmen and clerks of the county commissions.

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Dial:

S. 186. To amend Section 36-26-15 of the Code of Alabama 1975 relating to the state merit system so as to further provide for the military preference during the lay-off of employees in the classified service, and to further define veterans' credit in state service.

By Reps. Starr and McKee:

H. 746. Relating to the 15th Judicial Circuit of Alabama; providing for and establishing investigators for the district attorney's office; providing for the hiring, salaries, expenses, authority and duties of such investigators and to specifically repeal Act No. 456, S. 394, of the 1973 Regular Session (Acts 1973, p. 645).

By Rep. Smith:

H. 37. To amend Section 41-4-150, Code of Alabama 1975, relating to the printing of the acts and journals, so as to reduce the number printed.

By Senator Amari:

S. 614. To amend Code of Alabama 1975, Section 8-6-56, to provide that the securities commission shall fix the salary of the director.

By Rep. Grouby:

H. 366. To regulate further the office of probate judge in this state; to provide for the compensation of the probate judges of the several counties to be by an annual salary; to provide for such compensation; to provide that fees, commissions, allowances, percentages and other charges heretofore collected for the use of the judge of probate shall be collected and paid into the general fund of the county; and to make provision for the personnel, quarters, supplies and equipment for the office of the probate judge.

By Rep. Starkey:

H. 639. To amend Section 11-41-8, Code of Alabama, 1975, as amended, so as to validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama which might be invalid because of any irregularity in the procedure for incorporation.

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the

following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Senator Covington (With Amendments):

S. 605. To establish a new regulatory and licensing board for the practice of cosmetology/barbering; to create the Alabama board of cosmetology and barbering; to provide for suspension and revocation of licenses; to prescribe penalties for certain violations; and to repeal chapters 5 and 7 of Title 34, Code of Alabama 1975, relating to barbers and cosmetologists.

Senator deGraffenried, Chairperson of the Standing Committee on Constitutional Revision, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senators Dial and Bedsole (With Substitute):

S. 272. Proposing an amendment to the Constitution of 1901, prohibiting deficit spending and relating to the major appropriation acts and the legislative process therefor; and providing for emergencies.

The above Bill was read a second time at length as required by the Constitution.

Senator deGraffenried, Chairperson of the Standing Committee on Constitutional Revision, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Figures:

S. 348. To propose a constitutional amendment to repeal Amendment 408 of the Constitution which provides a method of filling certain judicial vacancies in Mobile County.

The above Bill was read a second time at length as required by the Constitution.

By Senator Ellis:

S. 479. Proposing an amendment to the Constitution of Alabama relating to prohibiting any municipality originally incorporated outside of Shelby County and having its city hall or municipal headquarters located outside of the boundaries of Shelby County from annexing any future territory in Shelby County without prior referendum approval of a majority of the qualified electors of Shelby County; and providing for such referendum elections.

The above Bill was read a second time at length as required by the Constitution.

Senator deGraffenried, Chairperson of the Standing Committee on Constitutional Revision, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Strong (With Substitute):

S. 543. Proposing an amendment to the Constitution of Alabama authorizing the incorporation in Marengo County of port authorities for the purpose of the development and commercial use of the inland waterways in such county.

The above Bill was read a second time at length as required by the Constitution.

Senator deGraffenried, Chairperson of the Standing Committee on Constitutional Revision, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Teague:

S. 550. Proposing an amendment to the Constitution of Alabama of 1901, establishing a state attorneys' inquiry commission which shall conduct investigations into complaints concerning state attorneys; creating a court of state attorneys to hear complaints filed by the commission; creating a state attorneys' canon promulgating committee to promulgate canons of ethics; and authorizing the legislature to provide a retirement program for district attorneys.

The above Bill was read a second time at length as required by the Constitution.

By Rep. Grouby:

H. 681. Proposing an amendment to the Constitution of Alabama of 1901 relative to the fees and compensation of the judge of probate of Autauga County.

The above Bill was read a second time at length as required by the Constitution.

By Reps. Coleman and Rains:

H. 561. To propose an amendment to the Constitution of Alabama of 1901 relating to Marshall County so as to prohibit annexation of territory within Marshall County by out of county municipalities without a vote of the people of Marshall County.

The above Bill was read a second time at length as required by the Constitution.

By Rep. Sasser:

H. 442. To propose a constitutional amendment to the Constitution of Alabama of 1901, relating to the City of Ozark, Dale County, so as to authorize additional ad valorem taxes for educational and school construction purposes; to provide the manner of implementing said tax by the municipal governing body of Ozark; to provide for issuing bonds and a referendum; and to provide that this amendment shall become effective immediately upon ratification by the people, pursuant to Amendment 425 of the Constitution of Alabama of 1901.

The above Bill was read a second time at length as required by the Constitution.

By Rep. Moore:

H. 12. Proposing an amendment to the Constitution of Alabama of 1901 relating to Shelby County so as to prohibit annexation of territory within Shelby County by out of county municipalities without a vote of the people of Shelby County.

The above Bill was read a second time at length as required by the Constitution.

### BILL RE-REFERRED

Senator Horn moved that the Bill, H. B. 12, be removed from the Calendar and re-referred to another Committee.

Senator Ellis moved that the motion to re-refer be laid on the table, which motion was lost.

Yeas 2; Nays 3.

Yeas:

Senators:	Dixon	Ellis	—2
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Nays:

Senators:	Cabaniss	Hilliard	Horn	—3
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The President and Presiding Officer of the Senate declared a quorum present but not voting.

The question recurred on the motion of Senator Horn that the Bill, H. B. 12, be removed from the Calendar and referred to another Committee, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bill, H. B. 12, re-referred to the Standing Committee on Rules.

### REPORTS OF COMMITTEES RESUMED

Senator deGraffenried, Chairperson of the Standing Committee on Constitutional Revision, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit :

By Reps. Venable and Mikell:

H. 774. To propose an amendment to the Constitution of Alabama which, if approved by the electors of Elmore County, would authorize the legislature, by general or local law, to provide for the creation, incorporation, organization, operation, administration and financing of one or more local districts within Elmore County as public corporations to provide local public services, including the fighting and prevention of fires and the operation of emergency medical services, including rescue and ambulance services, to provide for the fixing, levy and collection by such districts of rates, fees and charges for such services, penalties for nonpayment and liens upon the property within such districts; and to provide for the borrowing of money and the issuance of bonds and other obligations by or on behalf of such districts.

The above Bill was read a second time at length as required by the Constitution.

Senator Parsons, Chairperson of the Standing Committee on Education, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senators Ellis and Strong:

S. 524. To authorize the creation of public library districts in certain areas in the counties of the state of Alabama; to prescribe conditions and procedures relative to the creation of said districts; to prescribe the organization, rights and powers of such districts; to prescribe limitations on such rights and powers; to provide for the levying of certain service charges; to repeal all conflicting statutes and to provide for referendums.

Senator Aldridge, Chairperson of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senators Sanders and Figures (With Substitute):

S. 628. To create the Teenage Health and Pregnancy Council of Alabama; to provide for the composition of the Council, the duties and responsibilities and powers; to provide for intergovernmental cooperation for the purposes of the Council; and to prescribe that the Council shall report its findings, make recommendations to the health department, the Governor and the Legislature, together with suggested legislation or areas of target.

Senator Amari, Chairperson of the Standing Committee on Aging, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Bennett (With Notice and Proof):

S. 347. To authorize the Jefferson County Board of Health to adopt, and the Jefferson County Health Department to enforce, reasonable rules and regulations concerning the operation of boarding homes in Jefferson County not licensed or regulated by the Alabama State Board of Health, which are operated on a weekly or longer basis for the care of persons who are unrelated to the operators thereof, and who are not related to all other persons served thereby, who are over the age of sixty years, or who are infirm, physically handicapped or mentally handicapped or retarded, or who are addicted to drugs or alcohol; to authorize said County Board of Health to include in such regulations such provisions as it may deem necessary to safeguard the health and safety, and to prevent financial abuse of persons served; to establish permit and inspection fees with respect to the enforcement of such regulations; to make the power and authority granted cumulative; to make the provisions of the Act severable; to supersede all laws in conflict therewith to the extent of such conflict; and to establish an effective date of the Act.

By Senator Teague:

S. 116. To amend Section 36-27-6(a), Code of Alabama 1975, to permit the full-time employees and executive officers of the Alabama State Employees' Association and the Alabama Retired State Employees' Association to participate in the Employees' Retirement System of Alabama.

Senator Dial, Chairperson of the Standing Committee on Military Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Teague (With Amendment):

S. 134. To provide further for the Alabama Emergency Management Act, Articles 2, 3, 4, 6, 7, 8, 9, 10, 11, 14, 16, 17, 18, 20, 21, 22 and 24 of Chapter 9, Title 31, Code of Alabama 1975, so as to include certain other causes of emergencies other than those resulting from hostile military action, to encourage counties and other political subdivisions to assist in emergency management programs and to authorize state grants thereto for such programs, to provide for the appointment of directors for local organizations which aid in emergency management; to authorize political subdivisions to evacuate civilians during emergencies, to provide further for penalties for violations of said Chapter 9; and to provide continuing annual appropriations for certain emergency management programs at the governor's discretion.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Strong (With Notice and Proof):

S. 650. Relating to Marengo County; to authorize and provide for the incorporation in Marengo County of public corporations for the purpose of promoting the industrial development of the county and municipalities therein and particularly the development and commercial use of the inland waterways in said county through the acquisition and preparation of suitable wharves, docks, warehouses, and other port and related facilities; to provide for the election and compensation of directors of any such authority; to provide for the powers, authorities and duties of any such authority and its board of directors; specifically to authorize any such authority to acquire, construct, operate, improve and finance wharves, docks, warehouses, and other port and related facilities, and specifically to apply to the United States Foreign Trade Zones Board for permission to establish, operate and maintain a foreign trade zone, and if such permission is granted, then to establish, operate and maintain such a foreign trade zone; to confer on such authority the power of eminent domain; to provide for the issuance by any such authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of the revenues of any facilities or other property of such authority, without regard to the facilities or property with respect to which such securities may have been issued; to provide that such securities shall constitute negotiable instruments; to regulate and provide further for the issuance of, security for (including the pledge of certain revenues and properties to the payment thereof), and use of the proceeds of such securities; to provide for refunding of such securities; to provide that such securities issued and contracts entered into by any such authority pursuant to this act shall not constitute or create a debt of the state or of said county, or of any municipality or political subdivision of the county; to provide that any county, municipality, other political subdivision, public corporation, agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and without the necessity of an election and with or without consideration, transfer any port facilities or other property to any

such authority; to exempt the property and income of any such authority, all securities issued by such authority and the income from such securities from all taxation in the state, including license and excise taxes, levied by the state, any county, municipality, or political subdivision of the state; to exempt all conveyances, leases, mortgages and deeds of trust to which such authority is a party from all taxation by the state; to exempt such authority from payment of certain charges to the judge of probate; to exempt any authority organized hereunder from certain tort liability; to provide that certain employees of such authority shall be subject to and covered by any merit or civil service system applicable to the employees of said county or the municipality by which the incorporation of the authority was authorized if there is such a system applicable to the employees of the authorizing government; and to provide for the dissolution of any such authority and the disposition of its property.

By Senator Dial (With Notice and Proof):

S. 654. Relating to Cleburne County; providing that it shall be unlawful for anyone to willfully throw or cast headlights or any rays of artificial light from any motor vehicle in any field, woodland or forest in an attempt to locate deer or any other wildlife with the exception of farmers who may do so while checking livestock on owned, leased or rented land; and providing for penalties.

By Senator Aldridge (With Notice and Proof):

S. 656. Relating to Morgan County; providing a certain county supplement to the salary of each supernumerary court reporter in the eighth judicial circuit payable from the county treasury.

By Senator Aldridge (With Notice and Proof):

S. 657. Relating to Morgan County; providing for a supplemental expense allowance for the court reporter of the Eighth Judicial Circuit; and providing that such expense allowance shall be paid from the county treasury.

By Reps. Hooper and McKee (With Notice and Proof):

H. 638. To amend Section 15 of Act No. 1606, H. 1891, 1971 Regular Session (Acts 1971, p. 2761), previously amended by Act No. 587, H. 1383, the Regular Session of the Alabama Legislature 1975, which act, as amended, creates in the City of Montgomery in connection with the regular organized and paid Fire Department of the City of Montgomery the Montgomery Fire Fighters Pension Fund, so as to authorize the trustees of the Montgomery Fire Fighters Pension Fund through a majority of the Board of Trustees the power to repeal, alter, amend, delete, or otherwise in their discretion change the benefits available pursuant to the Montgomery Fire Fighters Pension Fund but not authorizing said trustees to stop or in any way take away or alter benefits presently being received by any member of the fund, presently receiving benefits therefrom, and expressly repealing Sections 16, 17, 18, 19, and 24.

By Reps. Holmes, Starr, McKee, Hooper, and Buskey (JL) (With Notice and Proof):

H. 649. Relating to the City of Montgomery in Montgomery County; to authorize the City of Montgomery to grant city ad valorem tax exemptions for up to fifteen (15) years to owner-developers who build new commercial or industrial facilities within the downtown business district as defined by

the governing body of said city providing that such owner-developers receiving such exemptions shall, however, continue to pay city ad valorem property taxes on such property as was paid in the year preceding the improvement caused by the construction or development of the new commercial or industrial facility; to provide that the tax exemption herein shall not affect any taxes other than city ad valorem taxes; and to provide for the procedures to be followed in the granting of such exemptions.

By Rep. Martin (With Notice and Proof):

H. 694. Relating to Morgan County; providing for the reidentification of each qualified elector in the county.

By Reps. Turnham, Rice, and Flowers:

H. 696. To further amend section 17-4-156, Code of Alabama 1975, as amended, relating to the meeting days, so as to authorize certain county boards of registrars to meet additional days if, in the discretion of the chairman of the county commission, it is warranted; to provide for retroactive effect commencing October 1, 1985.

By Reps. Carter and Clark (D) (With Notice and Proof):

H. 703. Relating to Limestone County; to provide that any municipality whose corporate limits or boundaries include lands lying outside of Limestone County, must, in addition to all other requirements of law, obtain the consent of the Limestone County Commission before annexation of lands lying in Limestone County.

By Rep. Britnell (With Notice and Proof):

H. 705. Relating to Franklin County; to create a motor vehicle license division within the tax assessor's office for the issuance of motor vehicle licenses; to provide for a certain computerized branch office at Red Bay, Alabama; to provide certain duties for the division; to provide a procedure for handling cases involving invalid personal checks given for licenses and the voiding of such licenses; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; to provide that such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; to provide for the issuance of motor vehicle licenses by the tax assessor's office and to transfer certain duties now performed by the probate judge and tax collector to said tax assessor.

By Rep. Turnham:

H. 709. To provide an additional county salary supplement for the circuit judges of the thirty-seventh judicial circuit.

By Rep. Dutton (With Notice and Proof):

H. 725. Relating to Lawrence County; providing for equalization of the salaries of certain clerks employed in the offices of certain elected county officials and prescribing guidelines for future salary increases for such clerks.

By Rep. Burke (With Notice and Proof):

H. 749. To alter, rearrange and extend the boundry lines and corporate limits of the municipality of Valley Head, in DeKalb County.



By Reps. Carter and Clark (D) (With Notice and Proof):

H. 750. Relating to Limestone County; to authorize the county commission to provide for hospital and medical insurance of retired county employees.

By Rep. Harvey (With Notice and Proof):

H. 757. Relating to Blount County; To provide for a special recording fee of \$2.00, in addition to all existing recording fees and charges, for each such document hereinafter filed for record in Blount County; and to provide for the expenditure of the funds in the office of the judge of probate.

By Reps. Johnson (RG) and Preuitt (With Notice and Proof):

H. 765. Relating to the City of Sylacauga in Talladega County; authorizing branch banking.

By Rep. Flowers (With Notice and Proof):

H. 767. To authorize the governing body of Pike County, Alabama, to levy and collect special county privilege and license taxes, paralleling the state sales taxes provided for in Division 1 of Article 1 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, and special county excise taxes paralleling the state use taxes provided for in Article 2 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, upon approval of the electors of the county in an advisory referendum; to specify the rates at which such taxes may be levied; to provide for the ascertainment, collection, payment, and distribution and use of the proceeds of the said taxes by the Troy-Pike County Lake Authority for the Walnut Creek Lake Project if levied by the said governing body; to provide for the enforcement of this act by the State Department of Revenue; and to provide for an advisory referendum election to determine if a majority of the electors voting at said election favor authorizing the governing body to levy such taxes.

By Rep. Newman (With Notice and Proof):

H. 768. To amend the title and Section 1 of Act No. 82-317, H. 793 of the 1982 Regular Session (Acts 1982, p. 429) relating to allocation and distribution of certain oil and gas privilege tax revenues accruing to Fayette County or any municipality therein, so as to provide further for such allocation and distribution.

By Rep. Venable (With Notice and Proof):

H. 776. Relating to Coosa County; providing for the districts and election of the members of the county board of education.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Venable (With Notice and Proof) (With Amendment):

H. 777. To repeal Act No. 316, H. 294, approved September 16, 1975, Regular Session 1975 (Acts 1975, p. 851), entitled, "And Act Relating to Coosa County; to provide an expense allowance for the sheriff and to give the provisions of this Act retroactive effect.

By Rep. Venable (With Notice and Proof) (With Amendment):

H. 778. To repeal Act No. 696, H. 1389, approved October 2, 1975, Regular Session 1975 (Acts 1975, p. 1451), entitled, "An Act Relating to Coosa County; providing annual monthly expense allowances for the tax assessor, tax collector and circuit clerk of said county and giving this act retroactive effect."

By Rep. Venable (With Notice and Proof) (With Amendment):

H. 779. To repeal Act No. 352, H. 929, approved September 16, 1975, Regular Session 1975 (Acts 1975, p. 891), entitled, "An Act Relating to Coosa County; providing additional expense allowance for the members of the county commission, making the provisions of this act retroactive."

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Dutton (With Notice and Proof):

H. 780. Relating to Lawrence County; prescribing certain guidelines to be used in determining the salary and expense allowances of the county superintendent of education.

By Rep. Lindsey (With Notice and Proof):

H. 787. Relating to Cherokee County; to amend Act No. 80-353, H. 981, 1980 Regular Session, which provides compensation for the members of the county commission, so as to provide further for travel allowances for said members and to provide for its retroactive effect.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Bedsole (With Notice and Proof):

S. 620. Relating to Mobile County, Alabama, providing further for the observance of legal holidays.

By Senator Menton (With Notice and Proof):

S. 653. Relating to Mobile County; to amend Act No. 31 of the Alabama Legislature, Second Special Session 1975, adopted March 10, 1975, and any amendments thereto, which relates to the incorporation in any municipality having a population of not less than 175,000 nor more than 250,000 according to the last or any subsequent Federal Decennial Census of an authority as a public corporation for the purpose of providing public transportation service in such county and the compensation of directors of any such authority.

By Senator Figures (With Notice and Proof):

S. 655. Relating to Mobile County; creating and providing for a county racing commission for the regulation, licensure and supervision of dog racing and wagering thereon; prescribing the composition, appointment, powers and duties of the commission; providing for and regulating the pari-mutual or

certificate method of wagering within the enclosure of licensed racetracks; providing for the distribution of license fees, taxes, commissions, and other monies received under the provisions of this act; and providing for penalties.

By Reps. Box, Buskey (JE), and Turner (With Notice and Proof):

H. 183. Relating to Mobile County; to provide that certain funds in the county treasury shall be expended equally among the county commission districts, effective October 1, 1986, and thereafter.

By Reps. Marietta, Gaston, Zoghby, Box, Harper, Buskey (JE), Kvalheim, Kennedy, Clark (W), and Turner (With Notice and Proof):

H. 374. To provide a supplement to the salary of the district attorney in the Thirteenth Judicial Circuit; and further providing that this act shall have retroactive effect.

By Reps. Box, Harper, Clark (W), and Kennedy (With Notice and Proof):

H. 398. Relating to Mobile County; to exempt certain property owned by qualified parading Mardi Gras societies from all county, local and municipal ad valorem taxes; and to provide an effective date.

By Rep. Harper (With Notice and Proof):

H. 427. To require the Mobile Board of School Commissioners of Mobile County to make available on or before the first day of the school year the full appropriation for instructional supplies as set for in the Education Budget for the fiscal year of the year school begins and to require certain timelines to be followed in securing said instructional supplies for the classroom following orders submitted by the individual teacher.

By Rep. Harper (With Notice and Proof):

H. 478. To amend Sections 1, 2, 6, 8, 9, 10, 11, 13, 14, 16, 23, 24, 28 and 29 of Act No. 243, H. 278, of the First Special Session of 1964 (Acts 1964, p. 326) as amended, which provides for the establishment and operation of pension and relief system for policemen and firemen of the City of Mobile, Alabama, so as to provide for: the qualifications for membership in such system; a financial consultant for such system; the composition, powers and duties of the board of directors of such system; a full-time secretary for such system; prohibiting the garnishment of pension funds; eligibility and participation; procedures for reimbursement from the city for certain pensions relating to work related disabilities; computing certain pensions; allowances to surviving spouses; the transition of duties and responsibilities between the City of Mobile and the Board; the procedure on appeal from a decision of the Board; certain options in electing benefits under such system; cost-of-living increases in pensions under such system and to specifically repeal Sections 15 relating to certain retirement procedures, and 22 relating to the option of non-membership of said act.

By Rep. Turner (With Notice and Proof):

H. 575. Relating to Mobile County; establishing a branch of the license commissioner's office in the City of Citronelle.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable

report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Rep. Turner (With Notice and Proof) (With Substitute):

H. 629. To amend further Act No. 470, H. 952 of the Regular Session of 1939, approved September 15, 1939 (Local Acts, 1939, page 298), which creates and establishes the County-wide Civil Service System in Mobile County, as amended by Act No. 684, H. 594 of the Regular Session of 1976 (Acts of Alabama, 1976, page 939), and as further amended by Act No. 84-623 of the Regular Session of 1984 (Acts of Alabama, 1984, page 1271), so as to clarify and designate the members of the Supervisory Committee of the Mobile County Personnel Board, to provide that the Presiding Judge of the Circuit Court shall serve as Chairman of the Supervisory Committee and to provide that he shall be entitled to vote only in case of a tie; to provide for an expense allowance and compensation for the members of the Personnel Board; to provide for employment of handicapped persons in the Civil Service System in Mobile County, providing preference for such persons with Civil Service Employment, and to repeal Act No. 84-623 of the Regular Session of 1984, Acts of Alabama, 1984, page 1271.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Turner, Kennedy, Zoghby, Box, Harper, Marietta, Clark (W), and Buskey (JE) (With Notice and Proof):

H. 631. Relating to Mobile County; providing that the county commission shall call for a public hearing to be held a certain time prior to approving any landfill project in said county and empowering the county commissioner representing the commission district in which such proposed landfill is to be located with veto power over any commission decision approving such landfill project if such public hearing is not called as provided for in this act.

By Reps. Harper, Zoghby, Turner, Buskey (JE), Kennedy, and Clark (W) (With Notice and Proof):

H. 635. Relating to Mobile County; to provide further that the Mobile County Commission pay the cost of advertising local bills within thirty days from receipt of the invoice.

By Reps. Kennedy, Buskey (JE), and Clark (W) (With Notice and Proof):

H. 753. Relating to Mobile County, directing the Mobile County Board of School Commissioners to designate Martin Luther King's birthday as a legal holiday for school system purposes.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Moore:

H. 12. Proposing an amendment to the Constitution of Alabama of 1901 relating to Shelby County so as to prohibit annexation of territory

within Shelby County by out of county municipalities without a vote of the people of Shelby County.

The above Bill was read a second time at length as required by the Constitution.

Senator Bedford, Chairperson of the Standing Committee on Student and Youth Activities, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senators Corbett, Bedford, Strong, Amari, Menton, Sanders, Hilliard, Foshee, Holmes, Teague, Parsons, Covington, Bedsole, Langford, Bishop, Smith (B), Goodwin, Dial, Little, Figures, deGraffenried, Denton, and Bailey (With Amendment):

S. 624. Establishing on a permanent basis the Joint Interim Legislative Children and Youth Study Committee; providing for the membership of such committee; prescribing the functions of such committee; providing office space and clerical assistance for such committee; providing for a salaried coordinator for such committee and providing for the compensation and expenses of the members of such committee.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Johnson (RW) and Melton (With Notice and Proof):

H. 799. To authorize the governing body of Tuscaloosa County, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Tuscaloosa County, on all taxable property situated within the special school tax district subject to the jurisdiction and control of the Tuscaloosa City Board of Education, the special ad valorem tax for public school purposes which is authorized in Section 2 of Amendment No. 3 to the Constitution, to a maximum rate, for any tax year of the county, which, when added to the rate at which there is being levied and collected in the said special school tax district for such tax year a special ad valorem tax for educational purposes pursuant to Amendment No. 164 to the Constitution, does not exceed \$1.55 on each one hundred dollars (15.5 mills on each dollar) of assessed value.

By Reps. Johnson (RW) and Melton:

H. 800. To propose an amendment to the Constitution of Alabama relating to the levy and collection of special property taxes for public school purposes in the Special School Tax District in Tuscaloosa County, Alabama, which is under the jurisdiction and control of the Tuscaloosa City Board of Education.

The above Bill was read a second time at length as required by the Constitution.

Senator Bailey, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a

favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Holley:

H. 59. To amend Act No. 85-123 of the First Special Session, 1985, to provide clarifications as to how funds appropriated to the State Soil and Water Conservation Development Commission may be expended.

### RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 282. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon adoption for the twenty-fifth legislative day of the 1986 Regular Session only:

Inst Id		Page
S. 105	State employees, cost of living raise provided and funds appropriated for fiscal year ending September 31, 1987.	117
S. 462	Forest fire fund, appropriation incr., Sec. 9-3-10.1 am'd.	117
S. 625	Board of registrars, exp. allow., incr., Sec. 17-4-15 am'd.	114
S. 531	Cos. and muns., auth. to provide health insurance for retirees	82

Senator Cabaniss offered the following substitute for the Resolution, S. R. 282, to-wit:

### SUBSTITUTE FOR S. R. 282

RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon adoption for the twenty-fifth legislative day of the 1986 Regular Session only:

Inst Id		Page
S. 462	Forest fire fund, appropriation incr., Sec. 9-3-10.1 am'd.	117
S. 625	Board of registrars, exp. allow., incr., sec. 17-4-15 am'd.	114
S. 531	Cos. and muns., auth. to provide health insurance for retirees	82

On motion of Senator Bishop, said substitute was laid on the table.

Yeas 22; Nays 2.

Yeas:

Senators:	deGraffenried	Foshee	Sanders
Aldridge	Denton	Goodwin	Smith (B)
Amari	Dial	Hand	Smith (J)
Bennett	Dixon	Horn	Strong
Bishop	Drinkard	Langford	Teague
Corbett	Ellis	Little	

—22

Nays:

Senators:	Bedford	Cabaniss	—2
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And on motion of Senator Bishop, the Resolution was then adopted by the Senate.

### SPECIAL ORDER BILLS ON THIRD READING

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

S. 105. To provide further a salary increase for certain state employees and to appropriate funds therefor for the fiscal year ending September 30, 1987.

On motion of Senator Bishop, further consideration of the Bill, S. B. 105, was postponed subject to the call of the Chair.

### BUDGET ISOLATION RESOLUTION

On motion of Senator Denton, the Rules were suspended and the B. I R., S. B. 462, was adopted.

Yeas 27; Nays 0.

Yeas:

Senators:	Cabaniss	Ellis	Little
Aldridge	Corbett	Foshee	Menton
Amari	Covington	Goodwin	Parsons
Bailey	deGraffenried	Hand	Smith (B)
Bedford	Denton	Hilliard	Smith (J)
Bennett	Dixon	Horn	Strong
Bishop	Drinkard	Langford	Teague

—27

Nays: —0

### BILLS ON THIRD READING RESUMED

THE BILL:

S. 462. To amend section 9-3-10.1, Code of Alabama 1975, which provides for the emergency forest fire fund, so as to change the name to the emergency forest fire, insects and disease fund and to increase the ceiling on the appropriation to the fund.

was taken up.

On motion of Senator Bishop, further consideration of the Bill, S. B. 462, was postponed subject to the call of the Chair.

### BUDGET ISOLATION RESOLUTION

On motion of Senator Bishop, the Rules were suspended and the B. I. R., S. B. 625, was adopted.

Yeas 26; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Menton	
Aldridge	Covington	Goodwin	Parsons	
Bailey	Denton	Hand	Smith (B)	
Barron	Dial	Hilliard	Smith (J)	
Bedford	Drinkard	Horn	Strong	
Bennett	Ellis	Langford	Teague	
Bishop	Figures	Little		—26

Nays:

—0

### BILLS ON THIRD READING RESUMED

THE BILL:

S. 625. To amend Section 17-4-153, Code of Alabama 1975, relating to expense allowances for registrars, so as to provide for an increase.

was taken up.

On motion of Senator Bishop, further consideration of the Bill, S. B. 625, was postponed subject to the call of the Chair.

THE BILL:

S. 531. To provide that the governing body of any county or municipality may provide for health and medical insurance coverage for retired employees.

was taken up.

On motion of Senator Bishop, further consideration of the Bill, S. B. 531, was postponed subject to the call of the Chair.

### RESOLUTION

Senators Foshee, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Goodwin, Hand, Hilliard, Holmes, Horn, Langford, Little, Menton, Mitchem, Parsons, Sanders, Smith (B), Smith (J), Strong and Teague offered the following Senate Resolution, to-wit:

S. R. 283. MOURNING THE DEATH OF MRS. PATRICIA PATTERSON MCKENZIE OF ATMORE, ALABAMA.

Which was filed.

### FURTHER CONSIDERATION OF S. B. 531

The Senate proceeded to further consideration of the Bill, S. B. 531.

And said Bill, S. B. 531, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.



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25th Day

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Yeas 20; Nays 0.

Yeas:

Senators:	Bishop	Goodwin	Little
Aldridge	Denton	Hand	Parsons
Barron	Dial	Hilliard	Sanders
Bedford	Ellis	Horn	Smith (B)
Bedsole	Foshee	Langford	Teague
Bennett			

—20

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Turner, Adams, Albright, Bachus, Beasley, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Drake, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Newton, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

H. J. R. 375. COMMENDING ROBERT M. (BOB) HOPE.

JOHN W. PEMBERTON,  
Clerk.

HOUSE MESSAGE

On motion of Senator Menton, the Rules were suspended and the Resolution, H. J. R. 375, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Grayson:

H. J. R. 361. COMMENDING EVERETT CHANDLER FOR DISTINGUISHED SERVICE WITH THE ALABAMA COOPERATIVE EXTENSION SERVICE.

Also:

By Reps. Grayson and Drake:

H. J. R. 362. COMMENDING WILLIAM JOHNSON FOR DISTINGUISHED SERVICE WITH THE ALABAMA COOPERATIVE EXTENSION SERVICE.

Also:

By Reps. Ford, Bugg, and Junkins:

H. J. R. 364. T. L. SANDERSON, DEATH MOURNED.

Also:

By Reps. Tanner and Moore:

H. J. R. 366. MOURNING THE DEATH OF MR. LOUIE COSBY OF INVERNESS IN SHELBY COUNTY.

Also:

By Reps. Marietta, Harper, Gaston, Kvalheim, McMillan, Zoghby, Kennedy, Buskey (JE), Clark (W), and Turner:

H. J. R. 367. COMMENDING ARTHUR C. TONSMEIRE, JR., PROMINENT MOBILE BANKER AND COMMUNITY LEADER.

Also:

By Rep. Davis:

H. J. R. 368. MOURNING THE DEATH OF MARY MARGARET VANCE SCHNEIDER OF BIRMINGHAM, ALABAMA.

Also:

By Reps. Harper and Gaston:

H. J. R. 369. COMMENDING THE GRAND BAY WATER WORKS BOARD FOR OUTSTANDING SERVICE TO THE COMMUNITY.

Also:

By Rep. Warren:

H. J. R. 370. DESIGNATING APRIL 4, 1986, AS TREE FARM DAY IN ALABAMA.

Also:

By Rep. White (F):

H. J. R. 371. MOURNING THE DEATH OF MR. FRANK MOONEY NALTY OF BREWTON, ALABAMA.

Also:

By Reps. Preuitt and Johnson (RG):

H. J. R. 373. HONORING JAY THORNTON, NEW PRESIDENT OF THE ALABAMA PRESS ASSOCIATION.

Also:

By Reps. Britnell, Drake, Turnham, and Clark (D):

H. J. R. 374. NAMING HIGHWAY 243 IN FRANKLIN COUNTY, ALABAMA, THE "EMMETT ODEN PARKWAY".

Also:

By Rep. Cosby:

H. J. R. 376. COMMENDING BYRD ELEMENTARY SCHOOL OF SELMA, ALABAMA.

Also:

By Rep. White (L):

H. J. R. 377. CONGRATULATING MR. AND MRS. JOHN WESLEY JONES ON THE OCCASION OF THEIR 57TH WEDDING ANNIVERSARY.

Also:

By Rep. White (L):

H. J. R. 378. CONGRATULATING MR. AND MRS. BILL MORRISON ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

By Reps. Moore and Tanner:

H. J. R. 379. COMMENDING MRS. EVA McCLAIN OF CALERA, ALABAMA UPON HER RETIREMENT.

Also:

By Reps. Moore and Tanner:

H. J. R. 380. CONGRATULATING MR. AND MRS. FRANK CORLEY ELLIS ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Foshee, the Rules were suspended and the Resolutions, H. J. R.'s 361, 362, and 364, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

On motion of Senator Little, the Rules were suspended and the Resolutions, H. J. R.'s 366, 367, 368, 369, 370, 371, 373, 374, 376, 377, 378, 379, and 380, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Turner, Kennedy, Marietta, Gaston, Kvalheim, and Zoghby:

**H. J. R. 363. URGING THE STATE OF MISSISSIPPI TO REVOKE THE LICENSE OF LANDFARMING, INC.**

WHEREAS, the Legislature of Alabama notes that Landfarming, Inc. has a permit to dispose of several nontoxic materials in a landfill in Jackson County, Mississippi; and

WHEREAS, the landfill is approximately 1 1/4 mile from the Mobile County and Alabama State lines and approximately 7 miles from Big Creek Lake which is the primary source of drinking water for the residents of Mobile County; and

WHEREAS, recent documentation reveals toxic levels of Chromium being deposited in the landfill; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby urge the State of Mississippi to immediately revoke the license to operate a landfill of Landfarming, Inc., and direct that a copy of this resolution be sent forthwith to the appropriate state officials in Mississippi that they may know of our great concern regarding this matter.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 363, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Fuller and Laird:

**H. J. R. 365. NAMING ALABAMA HIGHWAY 50 IN CHAMBERS COUNTY THE "VETERANS MEMORIAL PARKWAY."**

WHEREAS, the men and women of Chambers County, Alabama, have served our nation in every branch of the United States Armed Services with courage and dignity throughout the history of our county; and

WHEREAS, our veterans of Chambers County, of all ages, continue to provide our major source of inspiration and patriotism in a day and time when America's strength in the world is constantly tested and tried; and

WHEREAS, the Veterans' Organizations of Chambers County also provide a point of unity among all sections and communities of our County; and

WHEREAS, Alabama Highway 50 between LaFayette and Lanett also serves to unify the communities and people of Chambers County; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Alabama Highway 50 in Chambers County between LaFayette and Lanett is hereby named and designated

“VETERANS’ MEMORIAL PARKWAY” in loving honor of our veterans, both living and dead.

BE IT FURTHER RESOLVED, That the Alabama Highway Department is hereby instructed to prepare six (6) memorial signs for placement at appropriate locations along the pertinent section of Alabama Highway 50.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Little, the Rules were suspended and the Resolution, H. J. R. 365, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Coburn:

H. 572. To create and establish a state land resources information center within the Lands Division of the Department of Conservation and Natural Resources; to prescribe certain data and information to be compiled by such center; to provide for the administration of such center; to provide for the recording of conveyances relating to land purchased or sold by the State of Alabama or any of its agencies; to provide for certified copies of such conveyances to be made and transmitted to the Lands Division of the Department of Conservation and Natural Resources; to appropriate funds from the Lands Management Fund to implement the provisions of this Act; and to repeal Act No. 81-562, H. 409, 1981 Regular Session, (Acts 1981, p. 946).

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 572—to the Committee on Finance and Taxation

### REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 301. COMMENDING LAURIE LYNN GUNTER, “MISS ST. CLAIR COUNTY.”

Also:

H. J. R. 302. NAMING “INDUSTRIAL DRIVE” IN RAGLAND, ALABAMA, THE “JESSE FORD DRIVE.”

Also:

H. J. R. 319. COMMENDING WILKES BAPTIST CHURCH ON THE OCCASION OF ITS 75TH ANNIVERSARY AND DESIGNATING OCTOBER 5, 1986, AS WILKES BAPTIST CHURCH DAY IN MIDFIELD, ALABAMA.

Also:

H. J. R. 317. CONGRATULATING MR. MELVIN SKEEN ON THE OCCASION OF HIS EIGHTIETH BIRTHDAY, APRIL 10, 1986.

Also:

H. J. R. 316. COMMENDING DR. BOBBY CLARDY OF MOBILE, ALABAMA.

Also:

H. J. R. 315. COMMENDING THE HIGHLAND GARDENS ELEMENTARY SCHOOL PTA.

Also:

H. J. R. 314. COMMENDING VOLUNTEER FIRE DEPARTMENTS FOR HELPING TO CONTROL FOREST FIRES.

Also:

H. J. R. 313. COMMENDING HARVEY BIDDLE FOR DEDICATED AND DISTINGUISHED SERVICE TO THE MILLPORT BAPTIST CHURCH.

Also:

H. J. R. 307. COMMENDING COACH ROBERT BETTIS AND THE CITRONELLE HIGH SCHOOL BASKETBALL TEAM FOR OUTSTANDING ACHIEVEMENT.

Also:

H. J. R. 306. COMMENDING THE DECATUR VIKINGS, 1985 POP WARNER NATIONAL JUNIOR MIDGET CHAMPIONS.

Also:

H. J. R. 305. COMMENDING YORIKO SAITO OF BIRMINGHAM, ALABAMA, FOR OUTSTANDING ACCOMPLISHMENT.

Also:

H. J. R. 320. CONGRATULATING MR. AND MRS. FELIX DeLOACH KING ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

H. J. R. 322. COMMENDING ROBERT BRADFORD JOHNSON OF CENTRE, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

H. J. R. 324. COMMENDING HEALTH OCCUPATION STUDENTS OF OZARK VOCATIONAL SCHOOL.

Also:

H. J. R. 325. COMMENDING FRED GUY, PRINCIPAL, ROBERT E. LEE HIGH SCHOOL, MONTGOMERY, ALABAMA.

Also:

H. J. R. 326. COMMENDING CORNELIA THOMASE, PRINCIPAL, FLOWERS ELEMENTARY SCHOOL, MONTGOMERY, ALABAMA.

Also:

H. J. R. 327. COMMENDING JIM GUNTER OF GOODWYN JUNIOR HIGH SCHOOL, MONTGOMERY, ALABAMA.

On motion of Senator Parsons, the Resolutions were then concurred in and adopted by the Senate.

### RESOLUTIONS

Senator Bedsole offered the following Senate Resolution, to-wit:

S. R. 284. COMMENDING MR. SAM CANERDAY OF MONTGOMERY, ALABAMA.

Which was filed.

Senators Dial and Hand offered the following Senate Joint Resolution, to-wit:

S. J. R. 285. CREATING A COMMITTEE TO STUDY AND PROVIDE FOR THE ERECTION OF A VETERANS MONUMENT ON THE STATE CAPITOL GROUNDS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created the Veterans Monument Study Committee. The committee shall be composed of two state senators appointed by the Lieutenant Governor, two members of the House of Representatives appointed by the Speaker of the House, the state service commissioner of the Department of Veterans Affairs, the Commander of the American Legion of Alabama, the Commander of the Veterans of Foreign Wars of Alabama, the Commander of the Disabled American Veterans of Alabama, the Director of the State Department of Archives and History, and two veterans to be appointed by the Lieutenant Governor and two war veterans to be appointed by the Speaker of the House of Representatives.

The committee shall study the feasibility of erecting a Veterans Monument and the location, cost, and financing of said monument. The committee shall adopt a design for the monument. The committee shall be authorized to establish a method for the submission and acceptance of private, tax free donations to be used solely for the cost of erecting said monument.

The committee shall meet as soon after their appointment as practical and choose one of their members as chairman and another as vice-chairman. The chairman shall select a certified public accountant as a member of the committee.

Upon request of the chairman, the Clerk of the House and the Secretary of the Senate shall provide such clerical assistance as may be necessary for

the committee's work. The committee shall remain in effect until said monument is in place and all costs are paid. Committee members shall not receive any compensation or expenses for their services.

On motion of Senator Dial, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Foshee offered the following Senate Joint Resolution, to-wit:

**S. J. R. 286. NAMING THE NEW ALABAMA FORESTRY COMMISSION BUILDING IN BREWTON, ALABAMA, THE "ALVIN DOWNING FORESTRY DISTRICT HEADQUARTERS BUILDING."**

WHEREAS, Alvin Downing was employed in forestry endeavors with the State of Alabama for a period of 39 years; and

WHEREAS, from 1934 through 1938, he served as Forestry-Conservation Leaderman in the Civilian Conservation Corps; and

WHEREAS, in February of 1946, Alvin Downing began his illustrious and multi-faceted career with the State of Alabama as a Forestry Warden and progressed through the ranks as a District Forester, Regional Forester and finally as a special assistant to the State Forester; and

WHEREAS, it is proper to state that Alvin Downing saw the last vestiges of the First Southern Forest, planted and protected the Second Southern Forest and began to oversee the development of the Third Southern Forest before his retirement from the Alabama Forestry Commission in 1985; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That in recognition for years of outstanding forestry service to the State of Alabama, it is deemed fitting to name the new Alabama Forestry Commission district headquarters building in Brewton, Alabama, the "Alvin Downing Forestry District Headquarters Building" by a joint resolution of the Alabama legislature sponsored by Senator Crum Foshee in the Senate and by Representatives Frank P. "Skippy" White and Jimmy Warren in the House of Representatives.

**BE IT FURTHER RESOLVED,** That a copy of this resolution be sent to Mr. Downing with our deepest appreciation for being a true steward of the land.

On motion of Senator Foshee, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Goodwin offered the following Senate Joint Resolution, to-wit:

**S. J. R. 287. COMMENDING BYRD ELEMENTARY SCHOOL OF SELMA, ALABAMA.**

WHEREAS, it is with highest commendation that the Alabama Legislature notes the selection of Byrd Elementary School, Selma, Alabama, as the recipient of the "Treasure Campus" award; and

WHEREAS, this prestigious recognition was the first such award ever granted by the Alabama Forestry Planning Committee to an educational facility pledged to endorse and support the concepts of good stewardship of our forest lands; and

WHEREAS, as proponents of the Treasure Forest Program, Principal A. Ross Hobbs and the Byrd School faculty evidenced their commitment to



the program through concerted efforts to promote, by instruction, guidance and leadership, the concepts of good stewardship of our nation's precious natural resources, and to convey to their students the continuous and multiple benefits of managing and preserving these resources for the enrichment and enjoyment of all who follow; and

WHEREAS, as participants in the Treasure Forest Program and most particularly as the recipient of the first Treasure Campus award ever to be bestowed on an educational facility, Byrd Elementary School is indeed distinguished in its accomplishment; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of outstanding achievement and leadership, we hereby most highly commend Byrd Elementary School of Selma, Alabama, and direct that a copy of this resolution be presented to Principal A. Ross Hobbs for the purpose of appropriate school display and in public acclaim.

On motion of Senator Goodwin, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Barron offered the following Senate Resolutions, to-wit:

S. R. 288. CONGRATULATING MR. AND MRS. LOMAN WOODS ON THEIR 60TH WEDDING ANNIVERSARY.

Also:

S. R. 289. COMMENDING BETTYE MANN ON SPECIAL EDUCATION COORDINATOR AWARD.

Which were filed.

Senator Dial offered the following Senate Resolution, to-wit:

S. R. 290. COMMENDING AILEEN LOVE, RECIPIENT OF THE GREATER VALLEY AREA CHAMBER OF COMMERCE AWARD OF MERIT.

Which was filed.

Senator Smith (J) offered the following Senate Resolution, to-wit:

S. R. 291. COMMENDING DWIGHT SPRINGER, AN OUTSTANDING ALABAMIAN.

Which was filed.

Senator Holmes offered the following Senate Joint Resolution, to-wit:

S. J. R. 292. IN RECOGNITION FOR THE OUTSTANDING LEADERSHIP OF EUGENE M. HOLLEY, PAST VICE CHAIRMAN OF THE LIQUEFIED PETROLEUM GAS BOARD.

WHEREAS, Eugene M. Holley, a life long resident of Anniston, Calhoun County, Alabama served as a distinguished member and the Vice Chairman of the Liquefied Petroleum Gas Board from April 1972 through October 1985.

WHEREAS, Eugene M. Holley was appointed by the Governor of this State and his peers to represent the public, the Liquefied Petroleum Gas

Industry and the State of Alabama to do service as a member of the Liquefied Petroleum Gas Board.

WHEREAS, while serving on the Liquefied Petroleum Gas Board, Eugene M. Holley reflected the uncommon endowments of foresight and perseverance and displayed the capacity for intelligent leadership for the people of this State, the Liquefied Petroleum Gas Industry and the State of Alabama.

WHEREAS, Eugene M. Holley served as a Drill Sergeant during World War I; graduated from college in 1950 with a B.S. Degree and was among Who's Who of the college students.

WHEREAS, Eugene M. Holley taught at Oxford High one year, from there he went with the Calhoun Gas Company; was President of the LP Gas Association. He was also a member of the Jaycees, the Civitans and the Kiwanis Club in Oxford.

WHEREAS, during Eugene M. Holley's term of service he was an effective and dedicated spokesman for the public, the Liquefied Petroleum Gas Industry, the Liquefied Petroleum Gas Board and the State of Alabama. He was awarded the LP Gas Industrial Safety Award in 1981.

WHEREAS, Eugene M. Holley married the former Betty Sisson of Gadsden, Alabama. They have three sons; Ron, Mike and Rick; three granddaughters: Lauren, Leslie and Melissa.

NOW THEREFORE, BE IT RESOLVED, BOTH HOUSES CONCURRING, that Eugene M. Holley will be missed by this Legislature as a member of the Liquefied Petroleum Gas Board.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Eugene M. Holley as an expression for a job well done.

On motion of Senator Denton, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Goodwin, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Hand, Hilliard, Holmes, Horn, Langford, Little, Menton, Mitchem, Parsons, Sanders, Smith (B), Smith (J), Strong and Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 293. COMMENDING GOVERNOR GEORGE C. WALLACE FOR DISTINGUISHED SERVICE TO THE STATE OF ALABAMA.

WHEREAS, it is the distinct honor of the Alabama Legislature to speak on behalf of all citizens of the great State of Alabama and to humbly express their gratitude for the life, leadership and service of our beloved Governor, George Corley Wallace of Barbour County, Alabama; and

WHEREAS, for almost three decades, the State of Alabama has been beneficiary to Governor Wallace's leadership during an amazing public career that encompasses service as an assistant attorney general, legislator and circuit judge, and as our governor for four terms, an historic precedence for an Alabama Chief-of-State; and

WHEREAS, Governor Wallace has indeed dedicated his life to the good of Alabama and all citizens thereof, and we have borne witness to the influence of his positive leadership, not only on our state but on our nation as well; and

WHEREAS, George C. Wallace has governed our state in times of great trial and economic depression, and he has led us through periods of great accomplishment and to the threshold of economic recovery; and

WHEREAS, though we shall sorely miss his firm hand at the helm of our Ship of State, we are grateful for his positive direction for so many years, and we pay tribute to his outstanding service and to the example he sets for us all as a fine Christian gentleman and a man of great principle; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we herein acknowledge a debt of great gratitude to Governor George C. Wallace for extraordinary service to the State of Alabama and direct that he receive a copy of this resolution of highest commendation of the Legislature on behalf of the people of Alabama.

On motion of Senator Goodwin, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Little offered the following Senate Resolution, to-wit:

S. R. 294. COMMENDING JUDGE G. H. "SPUD" WRIGHT OF AUBURN, ALABAMA, FOR AN OUTSTANDING CAREER IN PUBLIC SERVICE.

Which was filed.

Senators Little, Foshee, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Goodwin, Hand, Hilliard, Holmes, Horn, Langford, Menton, Mitchem, Parsons, Sanders, Smith (B), Smith (J), Strong and Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 295. MOURNING THE DEATH OF DR. LUTHER TERRY, FORMER SURGEON GENERAL OF THE UNITED STATES.

WHEREAS, it is with deep sadness and regret that the Legislature of Alabama records the death of Dr. Luther Terry, a prominent native son who served as Surgeon General of the United States from 1961 to 1965; and

WHEREAS, a native of Red Level, Alabama, Dr. Terry was a 1931 graduate of Birmingham-Southern College with the bachelor of science degree, and of Tulane University with the M.D. degree awarded in 1935; his internship was served in Birmingham followed by his residency at university and city hospitals in Cleveland, Ohio; and

WHEREAS, Dr. Terry, during a distinguished career, served as a member of the faculties of Washington University in Saint Louis, the University of Texas in Galveston and Johns Hopkins Medical School; he also served at the U. S. Public Health Service Hospital in Baltimore, and prior to his appointment as Surgeon General by President John Kennedy, was serving as assistant director at the National Heart Institute in Bethesda, Maryland; and

WHEREAS, it was during Dr. Terry's tenure as U. S. Surgeon General, however, that he made his greatest contribution to medical research and national public health with the release of the Surgeon General's Report on Smoking and Health, the first official report to link the use of tobacco with deteriorating health; and

WHEREAS, Dr. Luther Terry was indeed a brilliant physician but, even more, a distinguished public servant and medical pioneer who, through meticulous research and perseverance, revolutionized his profession's approach to the prevention of disease; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That though we are deeply grieved by the death of Dr. Luther Terry, we give thanks for the life, labors and accomplishments of this distinguished Alabamian, dedicated physician and exemplary public servant.

BE IT FURTHER RESOLVED, That copies of this resolution be provided for Dr. Terry's family that they may know we truly share the sorrow of their great and grievous loss.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Little and Foshee offered the following Senate Resolution, to-wit:

S. R. 296. COMMENDING OSCAR H. ZEANAH OF ANDALUSIA, ALABAMA.

Which was filed.

Senator Little offered the following Senate Resolution, to-wit:

S. R. 297. MOURNING THE DEATH OF ADELIA MCCONNELL RUSSELL OF ALEXANDER CITY, ALABAMA.

Which was filed.

Senator Ellis offered the following Senate Joint Resolution, to-wit:

S. J. R. 298. COMMENDING THE UNIVERSITY OF MONTEVALLO WOMEN'S BASKETBALL TEAM ON AN OUTSTANDING SEASON.

WHEREAS, it is with a sense of great pride that the Legislature of Alabama notes the outstanding 1985-86 season of the University of Montevallo Women's Basketball Team; and

WHEREAS, posting an overall 17-12 record, the Lady Falcons had many members who brought great honor to their school, alumni and our State; and

WHEREAS, the team placed five players, Karen Scott, Sharon Douglas, Judy Perkins, Ruth Perkins and Diane Collins on the All-District rolls; and

WHEREAS, Karen Scott is the first player in the history of the University of Montevallo Women's Basketball Team to receive an All-American Honorable Mention; and

WHEREAS, Head Coach Cristy Earnhardt, who received the District 27 Coach of the Year Award, and Assistant Coach Cindy Young led the University of Montevallo Lady Falcons to achieve excellence, great execution, class, spirit and courage; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That as an expression of our high

praise and best wishes for continued successes, a copy of this resolution be sent to Head Coach Cristy Earnhardt, Assistant Coach Cindy Young and the Women's Athletic Director Dr. Beverly Warren, on behalf of their staff and the entire team, with a copy also provided for appropriate school display.

On motion of Senator Denton, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 299. COMMENDING HUBERT BOYD WELLS OF HUNTSVILLE, ALABAMA.

Also:

S. R. 300. COMMENDING MRS. MARY ELIZABETH MCLAIN OF HUNTSVILLE, ALABAMA.

Also:

S. R. 301. COMMENDING MR. CHRIS H. HORGAN OF HUNTSVILLE, ALABAMA.

Also:

S. R. 302. COMMENDING LARRY L. SMALLEY OF HUNTSVILLE, ALABAMA.

Also:

S. R. 303. COMMENDING MR. ALBERT H. BRYAN, JR., OF HUNTSVILLE, ALABAMA.

Which were filed.

Senator Strong offered the following Senate Resolution, to-wit:

S. R. 304. COMMENDING MRS. LYNDA MALONE ON HER ELECTION AS VICE-PRESIDENT/PRESIDENT-ELECT OF THE ALABAMA EDUCATION ASSOCIATION (AEA).

Which was filed.

Senators Strong and Bedsole offered the following Senate Resolutions, to-wit:

S. R. 305. COMMENDING THE CHAMBER OF COMMERCE OF JACKSON, ALABAMA.

Which was filed.

Senator Strong offered the following Senate Resolutions, to-wit:

S. R. 306. MOURNING THE DEATH OF DR. JAMES H. CLARK, FAMILY PHYSICIAN.

Also:

S. R. 307. CONGRATULATING MR. ROBERT L. MCLAUGHLIN OF ATLANTA, GEORGIA, ON THE OCCASION OF HIS 84TH BIRTHDAY.

Which were filed.

**BILLS ON THIRD READING RESUMED**

Senator Denton requested and received permission to suspend the Rules in order to bring up the Bill:

H. 688. Relating to Colbert County; providing for the county governing body to reimburse the office of probate judge for any monetary loss resulting from the performance of official duties for errors of mistakes made in good faith, not to exceed a certain maximum per annum; and providing such funds shall be payable from the general fund of the county.

And said Bill, H. B. 688, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton
Amari	Denton	Hand	Mitchem
Bailey	Dial	Holmes	Parsons
Barron	Dixon	Horn	Sanders
Bedsole	Drinkard	Langford	Strong
Bennett	Ellis	Little	Teague
Cabaniss	Figures		

—25

*Nays:*

—0

**RESOLUTION**

Senators Dial and Bedsole offered the following Senate Resolution, to-wit:

S. R. 308. Creating a committee to study the renovating of the new State House Building.

Be it Resolved by the Senate that a Committee of four (4) be appointed by the Lt. Governor consisting of (2) two Senators and (2) two members associated with the Building and Trade Industries. This committee shall determine the actual expense of renovating the new State House Building. This Committee shall report back to the Legislature prior to the end of 1986.

Which was read and referred to the Standing Committee on Rules.

**BILLS ON THIRD READING RESUMED**

Senator Bedsole requested and received permission to suspend the Rules in order to bring up the Bill:

H. 267. Relating to the City of Mobile; to provide for the disclosure of campaign contributions for candidates of city government.

The Standing Committee on Local Legislation No. 3 reported the following amendment to the Bill, H. B. 267, to-wit:

**AMENDMENT TO H. B. 267**

Amend House Bill 267 on page 1, line 19, by deleting the word "primary" and inserting in lieu thereof "municipal"

Further amend House Bill 267, on page 1, line 19, by deleting the word "other" and inserting in lieu thereof "runoff"

Which was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Amari	Denton	Hand	Mitchem	
Bailey	Dial	Hilliard	Parsons	
Barron	Dixon	Horn	Sanders	
Bedsole	Drinkard	Langford	Strong	
Bennett	Ellis	Little	Teague	
Bishop	Figures			—25

*Nays:* —0

And said Bill, H. B. 267, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Amari	Denton	Hand	Mitchem	
Bailey	Dial	Hilliard	Parsons	
Barron	Dixon	Horn	Sanders	
Bedsole	Drinkard	Langford	Strong	
Bennett	Ellis	Little	Teague	
Bishop	Figures			—25

*Nays:* —0

### RESOLUTIONS

Senator Strong offered the following Senate Resolution, to-wit:

S. R. 309. COMMENDING MAURICE PARISH, CITY OF JACKSON, ON HER RETIREMENT.

Which was filed.

Senators Dial and Bedsole offered the following Senate Resolution, to-wit:

S. R. 310. Creating a Committee to study the renovating of the new State House Building.

Be it resolved by the Senate that a Committee of four (4) be appointed by the Lt. Governor consisting of (2) two Senators and (2) two members associated with the Building and Trade Industries. This Committee shall determine the actual expense of renovating the new State House Building. This Committee shall report back to the Legislature prior to the end of 1986.

Which was read and referred to the Standing Committee on Rules.

### FURTHER CONSIDERATION OF MOTION TO RECONSIDER

Senator Smith (J) requested and received permission in order to bring up the Bill, S. B. 556. The question was on the motion of Senator Cabaniss

that the Senate reconsider the vote by which the Bill, S. B. 556, was passed, which said motion is set out in the Journal of the Senate and postponed on the Twenty-First Legislative Day.

### QUORUM CALL REQUESTED

At 2:25 P.M., Senator Cooley requested that the President and Presiding Officer ascertain the presence of a quorum.

The President and Presiding Officer declared a quorum of the Senate present.

### FURTHER CONSIDERATION OF S. B. 556

The Senate proceeded to further consideration of the Bill, S. B. 556. The question was on the motion of Senator Cabaniss that the Senate reconsider the vote by which the Bill, S. B. 556, was passed.

On motion of Senator Smith (J), said motion to reconsider was laid on the table.

Yeas 8; Nays 5.

*Yeas:*

Senators:	Corbett	Dixon	Menton	
Bailey	Covington	Hand	Smith (J)	
Bedsole				—8

*Nays:*

Senators:	Bishop	Hilliard	Horn	
Aldridge	Cooley			—5

The President and Presiding Officer of the Senate declared a quorum present but not voting.

### RESOLUTION

Senator Strong offered the following Senate Resolution, to-wit:

S. R. 311. COMMENDING DR. FRANK DOZIER OF THOMASVILLE, ALABAMA, SELECTED OUTSTANDING YOUNG MAN IN AMERICA.

Which was filed.

### BILLS ON THIRD READING RESUMED

Senator Teague requested and received permission to suspend the Rules in order to bring up the Bill:

H. 775. Relating to Coosa County; to provide further for the composition of the county commission; to provide that the judge of probate of Coosa County shall serve as a voting chairman on said commission; to provide for the election of the five associate commission members from single member districts within Coosa County; to provide for the terms of said commissioners; to provide that the associate members must reside within the boundaries of their district; to prescribe the salaries and duties of the associate commissioners; to prescribe the boundaries of certain districts; to empower the Coosa County Commission to determine the boundary line of



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certain commission districts; to empower said county commission to reapportion itself at certain times; to provide for the filling of vacancies in the office of associate commissioner; to provide for the employment of a county administrator and to prescribe the duties of the county administrator; to provide for the employment of a county engineer, and to prescribe the duties and responsibilities of such county engineer; to provide for the operation of a road and bridge department on the basis of the county as a unit, without regard to any district or beat lines and to provide that this act shall be null and void on the first Monday after the second Tuesday in January 1991.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 775, to-wit:

**AMENDMENT TO H. B. 775**

Amend House Bill 775, on page 2, Section 1, in the last sentence, by deleting "three associate commissions" in its entirety and substituting in lieu thereof "three associate commissioners"

Which was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Mitchem	
Amari	Denton	Hand	Parsons	
Barron	Dial	Horn	Smith (B)	
Bedford	Dixon	Langford	Smith (J)	
Bedsole	Drinkard	Little	Strong	
Bennett	Ellis	Menton	Teague	
Cabaniss	Figures			—25

*Nays:* —0

And said Bill, H. B. 775, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Mitchem	
Amari	Denton	Hand	Parsons	
Barron	Dial	Horn	Smith (B)	
Bedford	Dixon	Langford	Smith (J)	
Bedsole	Drinkard	Little	Strong	
Bennett	Ellis	Menton	Teague	
Cabaniss	Figures			—25

*Nays:* —0

Senator Bedsole requested and received permission to suspend the Rules in order to bring up the Bill:

H. 295. Relating to Mobile County; providing for a singular appropriation, in addition to any and all other appropriations, to the Azalea Trail Festival, Inc., from funds received by the county for the City of Mobile, for the fiscal year ending September 30, 1986, from the additional state sales tax levied on alcoholic beverages by Sections 28-3-280 and 28-3-281, Code of Alabama 1975.

And said Bill, H. B. 295, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Mitchem	
Aldridge	Dial	Hilliard	Parsons	
Barron	Dixon	Horn	Sanders	
Bedford	Drinkard	Langford	Smith (B)	
Bedsole	Ellis	Little	Smith (J)	
Bennett	Figures	Menton	Teague	
Cooley	Goodwin			—25

*Nays:* —0

Senator Goodwin requested and received permission to suspend the Rules in order to bring up the Bill:

H. 687. Relating to Chilton County; to create a license-issuing division within the tax collector's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail, such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes, the issuance of licenses by the tax collector's office; and to transfer certain duties now performed by the tax assessor and probate judge to said office.

And said Bill, H. B. 687, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Menton	
Aldridge	Dial	Hand	Mitchem	
Barron	Dixon	Holmes	Parsons	
Bedsole	Drinkard	Horn	Sanders	
Bennett	Ellis	Langford	Strong	
Cabaniss	Figures	Little	Teague	
Cooley	Foshee			—25

*Nays:* —0

### MOTION IN WRITING

Senator Bishop requested and received permission to suspend the Rules in order to offer the following Motion in Writing, to-wit:

To suspend the Rules and move that the Bill, H. B. 313, be immediately referred to the Standing Committee on Rules for placement on the Consent Calendar.

### MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 361. COMMENDING EVERETT CHANDLER FOR DISTINGUISHED SERVICE WITH THE ALABAMA COOPERATIVE EXTENSION SERVICE.

Also:

H. J. R. 362. COMMENDING WILLIAM JOHNSON FOR DISTINGUISHED SERVICE WITH THE ALABAMA COOPERATIVE EXTENSION SERVICE.

Also:

H. J. R. 364. T. L. SANDERSON, DEATH MOURNED.

Also:

H. J. R. 365. NAMING ALABAMA HIGHWAY 50 IN CHAMBERS COUNTY THE "VETERANS MEMORIAL PARKWAY."

Also:

H. J. R. 366. MOURNING THE DEATH OF MR. LOUIE COSBY OF INVERNESS IN SHELBY COUNTY.

Also:

H. J. R. 367. COMMENDING ARTHUR C. TONSMEIRE, JR., PROMINENT MOBILE BANKER AND COMMUNITY LEADER.

Also:

H. J. R. 368. MOURNING THE DEATH OF MARY MARGARET VANCE SCHNEIDER OF BIRMINGHAM, ALABAMA.

Also:

H. J. R. 369. COMMENDING THE GRAND BAY WATER WORKS BOARD FOR OUTSTANDING SERVICE TO THE COMMUNITY.

Also:

H. J. R. 370. DESIGNATING APRIL 4, 1986, AS TREE FARM DAY IN ALABAMA.

Also:

H. J. R. 371. MOURNING THE DEATH OF MR. FRANK MOONEY NALTY OF BREWTON, ALABAMA.

Also:

H. J. R. 373. HONORING JAY THORNTON, NEW PRESIDENT OF THE ALABAMA PRESS ASSOCIATION.

Also:

H. J. R. 374. NAMING HIGHWAY 243 IN FRANKLIN COUNTY, ALABAMA, THE "EMMETT ODEN PARKWAY."

Also:

H. J. R. 375. COMMENDING ROBERT M. HOPE.

Also:

H. J. R. 376. COMMENDING BYRD ELEMENTARY SCHOOL OF SELMA, ALABAMA.

Also:

H. J. R. 377. CONGRATULATING MR. AND MRS. JOHN WESLEY JONES ON THE OCCASION OF THEIR 57TH WEDDING ANNIVERSARY.

Also:

H. J. R. 378. CONGRATULATING MR. AND MRS. BILL MORRISON ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

H. J. R. 379. COMMENDING MRS. EVA McCLAIN OF CALERA, ALABAMA UPON HER RETIREMENT.

Also:

H. J. R. 380. CONGRATULATING MR. AND MRS. FRANK CORLEY ELLIS ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF RESOLUTIONS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 132. To create the Municipal Government Capital Improvement Fund; to make certain annual appropriations to such fund from the General Fund of the State based upon the amounts of income from the investment of certain moneys derived by the State from the leasing of rights in and royalty payments from offshore oil, gas and other hydrocarbon minerals; to provide for the distribution of such appropriations among incorporated municipalities; and to provide for the uses to which such monies shall be put.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

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H. J. R. 301. COMMENDING LAURIE LYNN GUNTER, "MISS ST. CLAIR COUNTY."

Also:

H. J. R. 302. NAMING "INDUSTRIAL DRIVE" IN RAGLAND, ALABAMA, THE "JESSE FORD DRIVE."

Also:

H. J. R. 305. COMMENDING YORIKO SAITO OF BIRMINGHAM, ALABAMA, FOR OUTSTANDING ACCOMPLISHMENT.

Also:

H. J. R. 306. COMMENDING THE DECATUR VIKINGS, 1985 POP WARNER NATIONAL JUNIOR MIDGET CHAMPIONS.

Also:

H. J. R. 307. COMMENDING COACH ROBERT BETTIS AND THE CITRONELLE HIGH SCHOOL BASKETBALL TEAM FOR OUTSTANDING ACHIEVEMENT.

Also:

H. J. R. 313. COMMENDING HARVEY BIDDLE FOR DEDICATED AND DISTINGUISHED SERVICE TO THE MILLPORT BAPTIST CHURCH.

Also:

H. J. R. 314. COMMENDING VOLUNTEER FIRE DEPARTMENTS FOR HELPING TO CONTROL FOREST FIRES.

Also:

H. J. R. 315. COMMENDING THE HIGHLAND GARDENS ELEMENTARY SCHOOL PTA.

Also:

H. J. R. 316. COMMENDING DR. BOBBY CLARDY OF MOBILE, ALABAMA.

Also:

H. J. R. 317. CONGRATULATING MR. MELVIN SKEEN ON THE OCCASION OF HIS EIGHTIETH BIRTHDAY, APRIL 10, 1986.

Also:

H. J. R. 319. COMMENDING WILKES BAPTIST CHURCH ON THE OCCASION OF ITS 75TH ANNIVERSARY AND DESIGNATING OCTOBER 5, 1986, AS WILKES BAPTIST CHURCH DAY IN MIDFIELD, ALABAMA.

Also:

H. J. R. 320. CONGRATULATING MR. AND MRS. FELIX De-LOACH KING ON THE OCCASION OF THEIR 50th WEDDING ANNIVERSARY.

Also:

H. J. R. 322. COMMENDING ROBERT BRADFORD JOHNSON OF CENTRE, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

H. J. R. 324. COMMENDING HEALTH OCCUPATION STUDENTS OF OZARK VOCATIONAL SCHOOL.

Also:

H. J. R. 325. COMMENDING FRED GUY, PRINCIPAL, ROBERT E. LEE HIGH SCHOOL, MONTGOMERY, ALABAMA.

Also:

H. J. R. 326. COMMENDING CORNELIA THOMASE, PRINCIPAL, FLOWERS ELEMENTARY SCHOOL, MONTGOMERY, ALABAMA.

Also:

H. J. R. 327. COMMENDING JIM GUNTER OF GOODWIN JUNIOR HIGH SCHOOL, MONTGOMERY, ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

### **SIGNING OF RESOLUTIONS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

### **FURTHER CONSIDERATION OF MOTION IN WRITING**

The Senate proceeded to further consideration of the Bishop Motion in Writing, relative to H. B. 313.

### **RESOLUTION**

Senator Teague offered the following Senate Resolution, to-wit:

S. R. 312. HONORING SENATOR RYAN DeGRAFFENRIED.

Which was adopted.

### **BILLS ON THIRD READING RESUMED**

Senator Bedford requested and received permission to suspend the Rules in order to bring up the Bill:

S. 643. Relating to Franklin County; providing further for the distribution of all funds accruing to Franklin County or any municipality therein from the oil and gas privilege tax pursuant to Sections 40-20-1 through 40-20-13, Code of Alabama 1975.

And said Bill, S. B. 643, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

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Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Little
Amari	Denton	Goodwin	Menton
Barron	Dial	Hand	Parsons
Bedford	Dixon	Holmes	Sanders
Bedsole	Drinkard	Horn	Strong
Bennett	Ellis	Langford	Teague
Cabaniss	Figures		

—25

*Nays:* —0

Senator Corbett requested and received permission to suspend the Rules in order to bring up the Bill:

H. 741. Relating to Barbour County, providing for the election of the County Board of Education; adopting single-member districts and repealing all conflicting laws.

And said Bill, H. B. 741, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton
Amari	Corbett	Hand	Mitchem
Bailey	Denton	Holmes	Parsons
Barron	Dial	Horn	Sanders
Bedsole	Dixon	Langford	Strong
Bennett	Ellis	Little	Teague
	Figures		
	Foshee		

—25

*Nays:* —0

Senator Holmes requested and received permission to suspend the Rules in order to bring up the Bill:

H. 689. Relating to Calhoun County, amending Act No. 84-403, H. 819, 1984 Regular Session, which levies an additional sales tax in the county, so as to provide further for the distribution of the proceeds of said tax and providing for a retroactive effect.

And said Bill, H. B. 689, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Menton
Bailey	Dial	Hilliard	Mitchem
Barron	Dixon	Holmes	Parsons
Bedsole	Drinkard	Horn	Sanders
Bennett	Ellis	Langford	Strong
Cabaniss	Figures	Little	Teague
Cooley	Foshee		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

On motion of Senator Little, the Rules were suspended and the B. I. R., H. B. 660 was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Aldridge	Denton	Hand	Mitchem	
Barron	Dial	Hilliard	Parsons	
Bedford	Dixon	Horn	Sanders	
Bedsole	Drinkard	Langford	Strong	
Bennett	Ellis	Little	Teague	
Cabaniss	Figures			—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

Senator Little requested and received permission to suspend the Rules in order to bring up the Bill:

H. 660. Relating to Tallapoosa County; providing certain additional compensation for the members of the board of registrars for the duration of voter reassignment and providing for retroactive effect.

And said Bill, H. B. 660, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Figures	Menton	
Amari	Denton	Foshee	Mitchem	
Barron	Dial	Hand	Parsons	
Bedford	Dixon	Holmes	Sanders	
Bedsole	Drinkard	Horn	Strong	
Bennett	Ellis	Langford	Teague	
Cabaniss	Little			—25

*Nays:* —0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Drake, Clark (J), Coburn, and Holley:

H. 740. To amend certain sections of Chapter 2 of Title 14 of the Code of Alabama 1975 to provide for the payment of capitalized interest from the proceeds from the sale of bonds of the authority for a period not to exceed one year from the date of issuance of such bonds; and to provide that rent payments by the state or any of its agencies shall be due in accordance with the provisions of any lease by the authority of any of its facilities.

JOHN W. PEMBERTON,  
Clerk.



**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 740—to the Committee on Buildings and Grounds

**FURTHER CONSIDERATION OF MOTION IN WRITING**

The Senate proceeded to further consideration of the Bishop Motion in Writing, relative to H. B. 313.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, H. B. 313, referred to the Standing Committee on Rules for placement on the Consent Calendar.

**BILLS ON THIRD READING RESUMED**

Senator Bedford requested and received permission to suspend the Rules to bring up the Bill:

S. 647. Relating to Fayette County; to create a license-issuing division within the Probate Judge's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; such fees shall be set by the County Commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of licenses by the Probate Judge's office; and to transfer certain duties now performed by the Tax Assessor and Tax Collector to said probate office; also to provide for a special recording and indexing fee on documents filed in the office of the Judge of Probate; and to prescribe the use thereof. County Commission to set fee.

And said Bill, S. B. 647, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton
Aldridge	Denton	Hand	Mitchem
Barron	Dial	Holmes	Parsons
Bedford	Dixon	Horn	Sanders
Bedsale	Ellis	Langford	Strong
Bennett	Figures	Little	Teague
Cabaniss	Foshee		

—25

*Nays:* —0

Senator Bedsale requested and received permission to suspend the Rules in order to bring up the Bill:

H. 126. Relating to further duties of the Mobile County Commission and providing financial reports for distribution; providing that the provisions

of the act shall be cumulative to any and all other laws relating to the duties of the chairman and members of the county commission.

The Standing Committee on Local Legislation No. 3 reported the following amendment to the Bill, H. B. 126, to-wit:

### AMENDMENT TO H. B. 126

Amend House Bill 126 on page 1, line 22, after the word "and" by adding the following: "upon request be"

Further amend House Bill 126 on page 1, line 22, by deleting the word "all" and inserting in lieu thereof "any"

Further amend House Bill 126 on page 1, line 24, by deleting the following: "upon request"

Further amend House Bill 126 on page 1 by deleting line 27 in its entirety and inserting in lieu thereof the following: "by the tenth (10th) day of the succeeding"

Which was adopted

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Menton	
Aldridge	Dial	Hilliard	Mitchem	
Barron	Dixon	Holmes	Parsons	
Bedford	Drinkard	Horn	Sanders	
Bedsole	Ellis	Langford	Strong	
Bennett	Figures	Little	Teague	
Cooley	Foshee			—25

*Nays:* —0

And said Bill, H. B. 126, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Menton	
Aldridge	Dial	Hilliard	Mitchem	
Barron	Dixon	Holmes	Parsons	
Bedford	Drinkard	Horn	Sanders	
Bedsole	Ellis	Langford	Strong	
Bennett	Figures	Little	Teague	
Cooley	Foshee			—25

*Nays:* —0

Senator Sanders requested and received permission to suspend the Rules in order to bring up the Bill:

S. 637. Relating to Greene County, authorizing the county commission to expend funds for day care centers.

And said Bill, S. B. 637, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

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Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton
Amari	Denton	Hand	Mitchem
Bailey	Dial	Hilliard	Parsons
Barron	Dixon	Horn	Sanders
Bedsole	Drinkard	Langford	Strong
Bennett	Ellis	Little	Teague
Cabaniss	Foshee		

—25

*Nays:* —0

Senator Barron requested and received permission to suspend the Rules in order to bring up the Bill:

S. 569. Relating to DeKalb County; creating the DeKalb County Commission Redistricting Study Committee.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, S. B. 569, to-wit:

**AMENDMENT TO S. B. 569**

Amend Senate Bill 569, page 1, line 24, after the word "Head" by adding the following:

" , plus each member of the DeKalb County Board of Education and the Superintendent of Education."

Which was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Mitchem
Amari	Dial	Hand	Parsons
Bailey	Dixon	Hilliard	Sanders
Barron	Drinkard	Horn	Smith (B)
Bedsole	Ellis	Little	Smith (J)
Bennett	Figures	Menton	Teague
Cooley	Foshee		

—25

*Nays:* —0

And said Bill, S. B. 569, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Mitchem
Amari	Dial	Hand	Parsons
Bailey	Dixon	Hilliard	Sanders
Barron	Drinkard	Horn	Smith (B)
Bedsole	Ellis	Little	Smith (J)
Bennett	Figures	Menton	Teague
Cooley	Foshee		

—25

*Nays:* —0

Senator Strong requested and received permission to suspend the Rules in order to bring up the Bill:

H. 771. Relating to Conecuh County; providing for the election of the County Board of Education; providing for the division of Conecuh County into five single-member County School Board Districts; providing for the term of office; and repealing all conflicting laws and to specifically repeal Act 384 of the 1953 Regular Session and Act 84-641 of the 1984 Regular Session.

Senator Strong then offered the following amendment to the Bill, H. B. 771, to-wit:

### AMENDMENT TO H. B. 771

Amend H. B. 771 as follows:

In Section 2, delete the descriptions for "District 2" (appearing from line 3, page 3, through line 7, page 4) and "District 5" (appearing from line 17, page 5 through line 13, page 6) in their entirety and insert in lieu thereof the following, viz:

### DISTRICT 2

All that portion of Conecuh County, Alabama lying within the following-described parcel:

Begin at northern point of Burnt Corn Creek at the Conecuh-Monroe County line; then go north along the Conecuh-Monroe County line to the intersection of County Roads 83 and 106 at the Midway community; then go east along the Conecuh-Monroe County line to the Conecuh-Butler County line; then go south along the Conecuh-Butler County line to the point where the Sepulga River and the L&N Railroad meet; then follow the L&N Railroad south to the Wilcox community; then go southeast along County Road 26; then go southwest along County Road 77 to the Evergreen city limits; then go north along the Evergreen city limits to the Northeast corner; then go west along the north side of the city limits to the railroad tracks; then go south along said railroad tracks to McMillan Street; then go west on McMillan St. to Belleville Street; then go north on Belleville Street to the point it intersects Liberty Hill Drive; then go south on Liberty Hill Drive to Rural Street; then go west on Rural Street to Interstate Highway 65; then go north on Interstate Highway 65 to the Owassa exit; then go East to the L&N Railroad tracks and follow said tracks to the utility line; then go north along said utility line to a tributary of the Sepulga River; then go west along the tributary of the Sepulga River to Interstate Highway 65; and then south along Interstate Highway 65 to the first gravel road to the west; then go north along County Road 29 for approximately two miles; then continue north along County Road 32 to Cooks Crossroads; then go south along County Road 19 to County Road 22 at a point just east of Antioch Church; then go west on County Road 22 to Cane Creek; then go south along Cane Creek to the Evergreen City limits at the northwest corner; then follow the city limits on the west side down to Murder Creek; then go northwest along Murder Creek until it runs into Otter Creek; then go northwest along Otter Creek until it crosses the second gravel road near Baggett Pond; then take said gravel road north to County Road 20 at the Loree community; then go west along County Road 20 to Brantley Crossing and Nichburg, to Burnt Corn Creek; then go north along Burnt Corn Creek to the Conecuh-Monroe County line.

DISTRICT 5

All that portion of Conecuh County, Alabama lying within the following-described parcel:

Begin at the intersection of Burnt Corn Creek and County Road 20 on the west and go east to Nichburg and Brantley Crossing; then go south along Otter Creek to the point it intersects Murder Creek; then run southeast along Murder Creek to the Evergreen city limits; then go north along the Evergreen city limits to Cane Creek; then go north along Cane Creek to Tomley Creek to the point it intersects County Road 19; then go north on County Road 19 to Cooks Crossroads; then go south along County Road 32; then go south along County Road 29 for about a mile; then follow the first gravel road going east to Interstate Highway 65; then go north along Interstate Highway 65 to a tributary of the Sepulga River, and follow said tributary to the utility line; then go south along said utility line to the tracks of the L&N Railroad; then go west along the L&N Railroad tracks to Interstate Highway 65 and the Owassa exit; then go south down Interstate Highway 65 to the Evergreen City limits, and follow the interstate south into the city to Rural Street; then go east along rural Street to the Wild Avenue Bypass; then go south along the Wild Avenue Bypass to Highway 31 south; then go north along Highway 31 to the intersection of the L&N Railroad tracks and Belleville Street; then go to Magnolia Avenue, and travel south on Magnolia Avenue to Cross Street; then go east on Cross Street until it dead ends into Bruner Avenue; then go south on Bruner Avenue to the intersection of Magnolia Heights, and include all houses in the Magnolia Heights subdivision; then go south to the Evergreen City limits to Mill Creek; then go south along Mill Creek to Murder Creek; then go south along Murder Creek to the Castleberry city limits.

Which was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Hand	Parsons
Amari	Denton	Holmes	Sanders
Bailey	Dial	Horn	Smith (B)
Barron	Dixon	Langford	Smith (J)
Bedsole	Ellis	Little	Strong
Bishop	Figures	Menton	Teague
Cabaniss	Foshee		

—25

*Nays:* —0

And said Bill, H. B. 771, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Hand	Parsons
Amari	Denton	Holmes	Sanders
Bailey	Dial	Horn	Smith (B)
Barron	Dixon	Langford	Smith (J)
Bedsole	Ellis	Little	Strong
Bishop	Figures	Menton	Teague
Cabaniss	Foshee		

—25

*Nays:* —0

Senator Dial requested and received permission to suspend the Rules in order to bring up the Bill:

H. 692. Relating to Chambers County; to authorize Chambers County to grant county ad valorem taxes exemptions, including real estate, equipment and supplies for up to five years to any manufacturing firm or facility; to provide that the tax exemption herein shall not affect taxes other than county ad valorem taxes; to provide for the county tax assessor to develop the necessary criteria to issue said exemptions subject to the approval of the Chambers County Commission; and to provide for the procedures to be followed in the granting of such exemptions.

And said Bill, H. B. 692, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Menton	
Aldridge	Dial	Hilliard	Mitchem	
Barron	Dixon	Holmes	Parsons	
Bedsole	Drinkard	Horn	Sanders	
Bennett	Ellis	Langford	Strong	
Cabaniss	Figures	Little	Teague	
Cooley	Foshee			—25

*Nays:* —0

Senator Foshee requested and received permission to suspend the Rules in order to bring up the Bill:

H. 109. To provide for the total county salary supplement for the district judge of the 22nd Judicial Circuit; and to repeal conflicting laws.

And said Bill, H. B. 109, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Menton	
Aldridge	Dial	Hand	Mitchem	
Barron	Dixon	Holmes	Parsons	
Bedsole	Drinkard	Horn	Sanders	
Bennett	Ellis	Langford	Strong	
Cabaniss	Figures	Little	Teague	
Cooley	Foshee			—25

*Nays:* —0

Senator Covington requested and received permission to suspend the Rules in order to bring up the Bill:

H. 320. Relating to the Second Judicial Circuit; the District Attorney shall have the authority to have the investigator and other employees of his office to assist him in the presence of the grand jury except when said jury is deliberating.

And said Bill, H. B. 320, was read a third time at length and passed.

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Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Aldridge	Covington	Hand	Mitchem
Barron	Denton	Hilliard	Parsons
Bedford	Dial	Horn	Sanders
Bedsole	Dixon	Langford	Strong
Bennett	Ellis	Little	Teague
Cabaniss	Figures		

—25

Nays: —0

Senator Hand requested and received permission to suspend the Rules in order to bring up the Bill:

S. 554. To provide for the filing for record and the preservation of all orders and decrees made and entered by any Judge of the Circuit Court of the 28th Judicial Circuit.

And said Bill, S. B. 554, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Goodwin	Menton
Amari	Dial	Hand	Mitchem
Barron	Dixon	Hilliard	Parsons
Bedsole	Drinkard	Horn	Sanders
Bennett	Ellis	Langford	Strong
Cabaniss	Figures	Little	Teague
Cooley	Foshee		

—25

Nays: —0

Senator Little requested and received permission to suspend the Rules in order to bring up the Bill:

H. 622. Relating to Lee County; authorizing the county commission to establish fire districts and to provide fire fighting and fire prevention services for dwellings, commercial structures, field and forest lands through the use of volunteer fire departments in cooperation with the Alabama Forestry Commission; authorizing the county commission to assess the whole or a part of the costs thereof, within a prescribed limit, against said recipients; and prescribing the procedure for levying and collecting such assessments.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 622, to-wit:

**AMENDMENT TO H. B. 622**

Amend House Bill 622, Page 2, Line 28, by inserting after the word "after" the word "public"

and further more on Page 3, Line 17, delete the period "." and add the following:

except that an adjustment of financial charges may only be made by a roll-call recorded vote of the County Commission of Lee County.

Which was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Menton	
Aldridge	Dial	Hilliard	Mitchem	
Barron	Dixon	Holmes	Parsons	
Bedsole	Drinkard	Horn	Sanders	
Bennett	Ellis	Langford	Strong	
Cabaniss	Figures	Little	Teague	
Cooley	Foshee			—25

*Nays:* —0

And said Bill, H. B. 622, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Menton	
Aldridge	Dial	Hilliard	Mitchem	
Barron	Dixon	Holmes	Parsons	
Bedsole	Drinkard	Horn	Sanders	
Bennett	Ellis	Langford	Strong	
Cabaniss	Figures	Little	Teague	
Cooley	Foshee			—25

*Nays:* —0

Senator Drinkard requested and received permission to suspend the Rules in order to bring up the Bill:

H. 19. To authorize the Etowah County Board of Health to designate the services rendered by the Etowah County Health Department for which a reasonable fee may be charged and to set and collect fees for each service.

And said Bill, H. B. 19, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Menton	
Amari	Dial	Hand	Mitchem	
Barron	Dixon	Holmes	Parsons	
Bedsole	Drinkard	Horn	Sanders	
Bennett	Ellis	Langford	Strong	
Cabaniss	Figures	Little	Teague	
Cooley	Foshee			—25

*Nays:* —0

Senator Sanders requested and received permission to suspend the Rules in order to bring up the Bill:

S. 638. Relating to Greene County; providing certain additional compensation for the members of the board of registrars to be paid from the county general fund.



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And said Bill, S. B. 638, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Mitchem	
Barron	Dial	Hilliard	Parsons	
Bedford	Dixon	Horn	Sanders	
Bedsole	Drinkard	Langford	Smith (B)	
Bennett	Ellis	Little	Smith (J)	
Cabaniss	Figures	Menton	Teague	
Cooley	Foshee			—25

*Nays:* —0

Senator Bedford requested and received permission to suspend the Rules in order to bring up the Bill:

S. 649. Relating to Franklin County; providing that it shall be unlawful for one or more persons to willfully throw or cast headlights or any rays of artificial light from any motor vehicle in a certain manner and under certain conditions; to provide for certain exceptions and to prescribe penalty for violation.

And said Bill, S. B. 649, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Menton	
Barron	Dial	Hand	Mitchem	
Bedford	Dixon	Holmes	Parsons	
Bedsole	Drinkard	Horn	Sanders	
Bennett	Ellis	Langford	Strong	
Cabaniss	Figures	Little	Teague	
Cooley	Foshee			—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

On motion of Senator Little, the Rules were suspended and the B. I. R., H. B. 659, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Menton	
Aldridge	Dial	Hilliard	Mitchem	
Barron	Dixon	Holmes	Parsons	
Bedford	Drinkard	Horn	Sanders	
Bedsole	Ellis	Langford	Strong	
Cabaniss	Figures	Little	Teague	
Cooley	Foshee			—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

Senator Little requested and received permission to suspend the Rules in order to bring up the Bill:

H. 659. To authorize the Tallapoosa County Board of Health to designate the services rendered by the Tallapoosa County Health Department for which a reasonable fee may be charged; to provide that the Tallapoosa County Board of Health shall be required to set a maximum fee for each service; to provide that the Tallapoosa County Health Department may charge and collect such fees; to provide that no citizen shall be deprived of any service because that person is unable to pay; and to provide for the allocation of all fees collected.

And said Bill, H. B. 659, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Menton	
Aldridge	Dial	Hilliard	Mitchem	
Barron	Dixon	Holmes	Parsons	
Bedford	Drinkard	Horn	Sanders	
Bedsole	Ellis	Langford	Strong	
Cabaniss	Figures	Little	Teague	
Cooley	Foshee			—25

*Nays:* —0

Senator Covington requested and received permission to suspend the Rules in order to bring up the Bill:

H. 321. To amend Act No. 185, S. 91, 1975 Regular Session, which provides for an expense allowance for the circuit court reporter of the Second Judicial Circuit, so as to provide further for said expense allowance.

And said Bill, H. B. 321, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton	
Aldridge	Covington	Hand	Parsons	
Barron	Denton	Holmes	Sanders	
Bedford	Dial	Horn	Smith (B)	
Bedsole	Dixon	Langford	Smith (J)	
Bennett	Ellis	Little	Teague	
Cabaniss	Figures			—25

*Nays:* —0

Senator Strong requested and received permission to suspend the Rules in order to bring up the Bill:

H. 698. Relating to Washington County; providing a certain increase in compensation for the supernumerary tax collector in said county.

And said Bill, H. B. 698, was read a third time at length and passed.

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Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Menton
Amari	Dial	Hilliard	Mitchem
Barron	Dixon	Holmes	Parsons
Bedsole	Drinkard	Horn	Sanders
Bennett	Ellis	Langford	Strong
Cabaniss	Foshee	Little	Teague
Cooley	Goodwin		

—25

*Nays:* —0

Senator Foshee requested and received permission to suspend the Rules in order to bring up the Bill:

H. 110. Relating to Covington County; to require the installation and maintenance of an improved system of indexing documents affecting the title to property and other documents recorded in the office of the Judge of Probate; to provide the collection and disposition of a special indexing fee; and to provide that said system shall constitute official and permanent records in Covington County.

And said Bill, H. B. 110, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Menton
Aldridge	Dial	Hilliard	Mitchem
Bailey	Dixon	Holmes	Parsons
Barron	Drinkard	Horn	Sanders
Bedsole	Ellis	Langford	Strong
Bennett	Figures	Little	Teague
Cooley	Foshee		

—25

*Nays:* —0

Senator Drinkard requested and received permission to suspend the Rules in order to bring up the Bill:

H. 346. Proposing an amendment to the Constitution of Alabama of 1901 to prohibit annexation of territory within Etowah County by municipalities outside of the county without a vote of the people of Etowah County.

Senator Drinkard offered the following amendment to the Bill, H. B. 346, to-wit:

**AMENDMENT TO H. B. 346**

Amend House Bill No. 346 Page 1 Line 32, by striking out or in part after the word “wholly”

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hand	Mitchem	
Amari	Dial	Hilliard	Parsons	
Bailey	Dixon	Holmes	Sanders	
Barron	Drinkard	Horn	Smith (B)	
Bedsole	Ellis	Little	Smith (J)	
Bennett	Figures	Menton	Teague	
Cooley	Foshee			—25

Nays: —0

Senator Drinkard then offered the following amendment No. 2 to the Bill, H. B. 346, as amended, to-wit:

**AMENDMENT NO. 2 TO H. B. 346, AS AMENDED**

Amend House Bill No. 346 Page 2 Line 1, by striking out Etowah County after the word "of" and inserting in its place "said territory"

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hand	Mitchem	
Amari	Dial	Hilliard	Parsons	
Bailey	Dixon	Holmes	Sanders	
Barron	Drinkard	Horn	Smith (B)	
Bedsole	Ellis	Little	Smith (J)	
Bennett	Figures	Menton	Teague	
Cooley	Foshee			—25

Nays: —0

And said Bill, H. B. 346, as thus amended, was read a third time at length as required by the Constitution, and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hand	Mitchem	
Amari	Dial	Hilliard	Parsons	
Bailey	Dixon	Holmes	Sanders	
Barron	Drinkard	Horn	Smith (B)	
Bedsole	Ellis	Little	Smith (J)	
Bennett	Figures	Menton	Teague	
Cooley	Foshee			—25

Nays: —0

Senator Bedford requested and received permission to suspend the Rules in order to bring up the Bill:

S. 644. To alter and rearrange the boundaries of the Town of Vina in Franklin County, so as to include certain territory into the corporate limits of the town.

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And said Bill, S. B. 644, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

<b>Senators:</b>	Denton	Hand	Menton
Amari	Dial	Hilliard	Mitchem
Barron	Dixon	Holmes	Parsons
Bedford	Drinkard	Horn	Sanders
Bedsole	Ellis	Langford	Strong
Bennett	Figures	Little	Teague
Cooley	Foshee		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

On motion of Senator Strong, the Rules were suspended and the B. I. R., H. B. 656, was adopted.

Yeas 25; Nays 0.

*Yeas:*

<b>Senators:</b>	Denton	Hand	Menton
Bailey	Dial	Hilliard	Mitchem
Barron	Dixon	Holmes	Parsons
Bedford	Drinkard	Horn	Sanders
Bedsole	Ellis	Langford	Strong
Bennett	Figures	Little	Teague
Cooley	Foshee		

—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

Senator Strong requested and received permission to suspend the Rules in order to bring up the Bill:

H. 656. Relating to Clarke County; providing for the appointment of the county superintendent of education; providing for a referendum on the question of whether the electors of the county favor the appointment of the county superintendent of education.

And said Bill, H. B. 656, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

<b>Senators:</b>	Denton	Hand	Menton
Bailey	Dial	Hilliard	Mitchem
Barron	Dixon	Holmes	Parsons
Bedford	Drinkard	Horn	Sanders
Bedsole	Ellis	Langford	Strong
Bennett	Figures	Little	Teague
Cooley	Foshee		

—25

*Nays:* —0

Senator Bedford requested and received permission to suspend the Rules in order to bring up the Bill:

S. 648. Relating to Franklin County; to establish benefits and a policy for on-the-job injuries for educational personnel and to provide for retroactive effect.

And said Bill, S. B. 648, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Dial	Hand	Menton	
Barron	Dixon	Hilliard	Mitchem	
Bedford	Drinkard	Holmes	Parsons	
Bedsole	Ellis	Horn	Sanders	
Bennett	Figures	Langford	Strong	
Cooley	Foshee	Little	Teague	
Denton	Goodwin			—25

*Nays:*

—0

Senator Strong requested and received permission to suspend the Rules in order to bring up the Bill:

H. 691. Relating to Conecuh County; to provide for a special recording fee on documents filed in the office of the judge of probate; and to prescribe the use thereof.

And said Bill, H. B. 691, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Dial	Hand	Menton	
Aldridge	Dixon	Hilliard	Mitchem	
Barron	Drinkard	Holmes	Parsons	
Bedsole	Ellis	Horn	Sanders	
Bennett	Figures	Langford	Strong	
Cooley	Foshee	Little	Teague	
Denton	Goodwin			—25

*Nays:*

—0

### FURTHER CONSIDERATION OF S. B. 232, AS AMENDED

The Senate proceeded to further consideration of the Bill:

S. 232. To require notice to a parent prior to performing an abortion on an unemancipated minor who is less than eighteen years old, or any mentally incompetent person, regardless of age, under the guardianship of another, to the extent constitutionally permissible; to provide for the enforcement of this Act; and to prescribe penalties for violations.

as amended, and pending Hilliard amendment No. 6, which said amendment is set out in the Journal of the Senate for the Twenty-Fourth Legislative Day. The question was on the motion of Senator Hilliard that further consideration of the Bill, S. B. 232, and pending amendment be postponed for six Legislative Days.

On motion of Senator Hilliard, said motion to postpone was laid on the table.

On motion of Senator Hilliard, said amendment No. 6 was laid on the table.

Senator Hilliard then offered the following amendment No. 7 to the Bill, S. B. 232, as amended, to-wit:

**AMENDMENT NO. 7 TO S. B. 232, AS AMENDED**

Amend Senate Bill 232 at Page 1, Line 11, by deleting the word "eighteen" and insert in lieu thereof "sixteen" and one day

and, at Page 1, Line 18, by deleting the word "eighteen" and inserting the word "sixteen" and one day in lieu thereof,

and, at Page 2, Line 12, by deleting the word "eighteen" and inserting the word "sixteen" and one day in lieu thereof.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 295. Relating to Mobile County; providing for a singular appropriation, in addition to any and all other appropriations, to the Azalea Trail Festival, Inc., from funds received by the county for the City of Mobile, for the fiscal year ending September 30, 1986, from the additional state sales tax levied on alcoholic beverages by Sections 28-3-280 and 28-3-281, Code of Alabama 1975.

Also:

H. 660. Relating to Tallapoosa County; providing certain additional compensation for the members of the board of registrars for the duration of voter reassignment and providing for retroactive effect.

Also:

H. 687. Relating to Chilton County; to create a license-issuing division within the tax collector's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail, such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes, the issuance of licenses by the tax collector's office; and to transfer certain duties now performed by the tax assessor and probate judge to said office.

Also:

H. 689. Relating to Calhoun County, amending Act No. 84-403, H. 819, 1984 Regular Session, which levies an additional sales tax in the county, so as to provide further for the distribution of the proceeds of said tax and providing for a retroactive effect.

Also:

H. 741. Relating to Barbour County, providing for the election of the County Board of Education; adopting single-member districts and repealing all conflicting laws.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 688. Relating to Colbert County; providing for the county governing body to reimburse the office of probate judge for any monetary loss resulting from the performance of official duties for errors of mistakes made in good faith, not to exceed a certain maximum per annum; and providing such funds shall be payable from the general fund of the county.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

### FURTHER CONSIDERATION OF S. B. 232, AS AMENDED

The Senate proceeded to further consideration of the Bill, S. B. 232, as amended. The question was on the Hilliard amendment No. 7.

And said amendment No. 7 was lost.

Yeas 12; Nays 14.

Abstaining 1.

Yeas:

Senators:	Corbett	Hilliard	Parsons
Aldridge	deGraffenried	Horn	Strong
Bedsole	Goodwin	Langford	Teague
Bishop			



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*Nays:*

Senators:	Cabaniss	Drinkard	Little	
Amari	Covington	Foshee	Menton	
Bailey	Denton	Hand	Smith (J)	
Bedford	Dixon	Holmes		—14

*Abstaining:* Senator Barron —1

On motion of Senator Bailey, the Senate reconsidered the vote by which the Hilliard amendment No. 7 was lost.

On motion of Senator Bailey, said amendment No. 7 was then adopted.

Yeas 20; Nays 9.

*Yeas:*

Senators:	Bishop	Foshee	Langford	
Aldridge	Cooley	Goodwin	Little	
Bailey	Corbett	Hilliard	Parsons	
Barron	Covington	Holmes	Strong	
Bedsole	deGraffenried	Horn	Teague	
Bennett				—20

*Nays:*

Senators:	Cabaniss	Drinkard	Hand	
Amari	Denton	Ellis	Menton	
Bedford	Dixon			—9

And said Bill, S. B. 232, as amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 29; Nays 0.

Abstaining 1

*Yeas:*

Senators:	Bishop	Ellis	Langford	
Aldridge	Cabaniss	Foshee	Little	
Amari	Cooley	Goodwin	Menton	
Bailey	Covington	Hand	Parsons	
Barron	deGraffenried	Hilliard	Smith (J)	
Bedford	Denton	Holmes	Strong	
Bedsole	Dixon	Horn	Teague	
Bennett	Drinkard			—29

*Nays:* —0

*Abstaining:* Senator Corbett —1

### FURTHER CONSIDERATION OF S. B. 476

The Senate proceeded to further consideration of the Bill:

S. 476. To amend §12-18-87, Code of Alabama 1975, to provide for an increase in service retirement and survivor benefits under the judicial retirement fund as it relates to probate judges.

having been postponed subject to the call of the Chair on the Twentieth Legislative Day.

And said Bill, S. B. 476, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 3.

*Yeas:*

Senators:	Bishop	Goodwin	Langford	
Aldridge	Corbett	Hand	Menton	
Amari	Covington	Hilliard	Smith (J)	
Barron	deGraffenried	Holmes	Strong	
Bedford	Denton	Horn	Teague	
Bennett	Foshee			—21

*Nays:*

Senators:	Bedsole	Cabaniss	Dixon	—3
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### FURTHER CONSIDERATION OF S. B. 105

The Senate proceeded to further consideration of the Bill, S. B. 105.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, S. B. 105, to-wit:

### SUBSTITUTE FOR S. B. 105

#### A BILL TO BE ENTITLED AN ACT

To provide a salary increase and longevity pay for certain state employees and to appropriate funds therefor.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Beginning on October 1, 1986, all state employees who are listed in the classified and unclassified service of the state as defined in Section 36-26-10, Code of Alabama 1975, and all other state employees and hourly employees of the state, except those set out in Section 2 herein, and all legislative personnel, officers and employees, including but not limited to Legislative Reference Service personnel, whether subject to the state merit system or not, and all circuit clerks and registers and circuit judges, except as provided in Section 2 herein, and all employees of the county health departments who are employed subject to the state merit system and whose compensation is paid out of a budget provided and agreed upon by the state, county, or other contributing agency under the direction of the state board of health shall receive a 5% salary increase. Any cost-of-living increase granted under the provisions of this Act shall in no way apply to any local supplement provided to any judges or any other employee of this state. All such increases shall be in addition to the salary received by such employees. It is the intention of the legislature that the Governor is hereby authorized to transfer such amounts to, from, and between such departments, boards, bureaus, commissions, agencies, offices, and institutions under his direct control for the purpose of paying the salary increase for state employees and officials.

Section 2. The provisions of this Act shall not apply to any merit system employee or hourly employee whose service or rates of pay are covered by any labor agreement or contract, nor shall this Act apply to state judges

whose salaries are payable from the state treasury if such judges' salaries are increased under and by virtue of: (1) The recommendations contained in the Report of the Judicial Compensation Commission to the 1986 Regular Session of the legislature becoming law; or (2) the enactment into law of legislation altering and amending said report; or (3) any other legislation enacted into law during the 1986 Regular or Special sessions of the legislature.

Section 3. The director of the state personnel department shall revise the schedule or rates set forth in the pay plan for state employees and shall certify the same to the state comptroller, who shall issue warrants in accordance therewith. With respect to all court officials and employees within the Unified Judicial System who serve the trial and appellate courts of the state and the Administrative Office of Courts, the Administrative Director of Courts shall revise the schedule of rates set forth in the pay plan for such court officials and employees to reflect the increase provided herein, and shall certify the same to the state comptroller, who shall issue warrants in accordance therewith. With respect to legislative employees, the secretary of the senate for senate employees, the clerk of the house of representatives for house employees, the director of the Legislative Reference Service for Legislative Reference Service employees, and the director of the Legislative Fiscal Office for Legislative Fiscal Office employees shall revise the schedule or rates set forth in the pay plan for such legislative employees to reflect the increase provided herein, and shall certify the same to the state comptroller, who shall issue warrants in accordance therewith.

Section 4. (a) Each person employed by the State of Alabama, except employees otherwise covered under the provisions of Section 36-21-3 of the Code of Alabama 1975, and all legislative personnel, officers or employees, including but not limited to Legislative Reference Service personnel, whether subject to the state merit system or not, shall be entitled to and receive in a lump sum the first pay period of December each year the sum of \$300 per annum after said employee has served for a total period of five years and shall receive said payment until the tenth year of total service, at which time the payment shall be made in a like manner and at a like time but in the amount of \$400 per annum until the fifteenth year of total service, at which time the payment shall be made in a like manner and at a like time but in the amount of \$500 per annum until the twentieth year of total service, at which time the payment shall be made in a like manner and at a like time but in the amount of \$600 as long as he remains in service.

(b) The above payments shall be in addition to all salaries or wages and shall be in addition to any per diem allowances or expense allowance that may be in force at the time of payment. Said sum shall not be used in computing retirement or other benefits.

(c) Annually, in time for the payroll for the first pay period in December, it shall be the duty of the personnel department and the Administrative Office of Courts, with regard to judicial employees, the clerk of the House of Representatives with regard to House of Representative Employees, the secretary of the Senate with regard to the Senate employees, the director of legislative reference service with regard to legislative reference service employees and all department, board, authority and commission heads with regard to all state department, board, authority and commission employees, to determine which state employees are entitled to longevity pay pursuant to this act and the amount thereof due each such employee, and to certify the same to the state comptroller, who shall issue his warrants accordingly.

Section 5. There is hereby appropriated such amounts as may be necessary to implement the provisions of this act beginning October 1, 1986, and each year thereafter, from such funds as the salaries of the several state employees are, respectively, paid, or if there is not sufficient money in such funds, then from the general fund or any other fund in the state treasury not otherwise appropriated.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 8. This Act shall become effective on September 13, 1986, with the first payment on October 10, 1986 for all state officials and employees covered by this Act who are paid bi-weekly, and effective on October 1, 1986, for all state officials and employees covered by this Act whose salaries are set annually and who are paid semi-monthly, and upon approval by the Governor, or upon its otherwise becoming a law.

The Standing Committee on Finance and Taxation then reported the following amendment to the substitute for S. B. 105, to-wit:

#### **AMENDMENT TO COMMITTEE SUBSTITUTE FOR S. B. 105**

Amend S. B. 105, as substituted, on page 4, line 12, by inserting a new "Section 6" and renumbering the remaining sections accordingly. The new "Section 6" to read as follows:

"Section 6. The salary increase provided for in Section 1 of this bill will not be paid to any employee whose salary is \$50,000 annually or above."

Which was adopted.

On motion of Senator Hand, the Senate reconsidered the vote by which the committee amendment to the committee substitute for the Bill, S. B. 105, was adopted.

On motion of Senator Hand, said committee amendment was laid on the table.

Senator Hand then offered the following amendment to the committee substitute for the Bill, S. B. 105, to-wit:

#### **AMENDMENT TO S. B. 105**

Amend S. B. 105, as substituted, on page 1, line 31, by inserting, after the word "increase.", the following:

"This 5% salary increase shall not be applied to any amount of wages or salary in excess of \$50,000 paid to anyone authorized by law or by this Act to receive the cost-of-living salary increase provided herein."

Which was adopted.

#### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 771. Relating to Conecuh County; providing for the election of the County Board of Education; providing for the division of Conecuh County into five single-member County School Board Districts; providing for the term of office; and repealing all conflicting laws and to specifically repeal Act 384 of the 1953 Regular Session and Act 84-641 of the 1984 Regular Session.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

### FURTHER CONSIDERATION OF S. B. 105

The Senate proceeded to further consideration of the Bill, S. B. 105. The question was on the committee substitute for the Bill, S. B. 105, as amended.

### REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 169—AMENDMENT TO THE JOINT RULES OF THE TWO HOUSES.

On motion of Senator Covington, the Resolution was concurred in and adopted by the Senate.

### FURTHER CONSIDERATION OF S. B. 105

The Senate proceeded to further consideration of the Bill, S. B. 105. The question was on the committee substitute, as amended.

And said committee substitute, as amended, was then adopted.

Yeas 29; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Little
Aldridge	Corbett	Goodwin	Menton
Amari	Covington	Hand	Parsons
Barron	deGraffenried	Hilliard	Sanders
Bedford	Denton	Holmes	Smith (J)
Bedsole	Dixon	Horn	Strong
Bennett	Drinkard	Langford	Teague
Bishop	Ellis		

—29

Nays:

—0

And said Bill, S. B. 105, as amended by the substitute, as amended, was then read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 28; Nays 1.

Abstaining 1.

*Yeas:*

Senators:	Cooley	Ellis	Little
Aldridge	Corbett	Foshee	Menton
Amari	Covington	Hand	Parsons
Barron	deGraffenried	Hilliard	Sanders
Bedford	Denton	Holmes	Smith (J)
Bedsole	Dixon	Horn	Strong
Bennett	Drinkard	Langford	Teague
Bishop			—28

*Nay:* Senator Cabaniss —1*Abstaining:* Senator Goodwin —1

Senator Smith (J) moved that the Senate reconsider the vote by which the Bill, S. B. 105, as amended, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

**FURTHER CONSIDERATION OF S. B. 625**

The Senate proceeded to further consideration of the Bill, S. B. 625.

And said Bill, S. B. 625, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 1.

*Yeas:*

Senators:	Corbett	Foshee	Little
Aldridge	Covington	Goodwin	Menton
Amari	deGraffenried	Hand	Parsons
Barron	Denton	Hilliard	Sanders
Bedford	Dixon	Holmes	Smith (J)
Bedsole	Drinkard	Horn	Strong
Bennett	Ellis	Langford	Teague
Bishop			—28

*Nay:* Senator Cabaniss —1**MESSAGE FROM THE HOUSE**

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 132. To create the Municipal Government Capital Improvement Fund; to make certain annual appropriations to such fund from the General Fund of the State based upon the amounts of income from the investment of certain moneys derived by the State from the leasing of rights in and royalty payments from offshore oil, gas and other hydrocarbon minerals; to provide for the distribution of such appropriations among incorporated municipalities; and to provide for the uses to which such monies shall be put.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF BILLS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 280. DESIGNATING APRIL 4, 1986, AS TREE FARM DAY IN ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 561. To amend the title and Section 1 of Act No. 82-317, H. 793 of the 1982 Regular Session (Acts 1982, p. 429) relating to allocation and distribution of certain oil and gas privilege tax revenues accruing to Fayette County or any municipality therein, so as to provide further for such allocation and distribution.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 575. To provide for the filing for record and the preservation of all orders and judgments made and entered by any judge of the circuit court of the 15th Judicial Circuit of Alabama, and to provide that such judgments or orders shall have the same force and effect as minutes of the circuit court of said circuit prior to the passage and approval of this act and to provide for retroactive effect.

JOHN W. PEMBERTON,  
Clerk.

**FURTHER CONSIDERATION OF S. B. 462**

The Senate proceeded to further consideration of the Bill, S. B. 462.

And said Bill, S. B. 462, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Little
Aldridge	Cabaniss	Figures	Menton
Amari	Covington	Goodwin	Parsons
Barron	deGraffenried	Hand	Sanders
Bedford	Denton	Hilliard	Strong
Bedsole	Dixon	Holmes	Teague
Bennett	Drinkard	Langford	

—26

Nays:

—0

**RESOLUTION**

Senator Bedford offered the following Senate Joint Resolution, to-wit:

**S. J. R. 313. CREATING THE TASK FORCE TO STUDY THE HIGH COST OF MEDICAL MALPRACTICE INSURANCE AND CIVIL TORTS.**

WHEREAS, the high cost of medical malpractice insurance and other liability insurance has created a critical emergency both Nationwide and in Alabama; and

WHEREAS, concerns have been expressed concerning legal fees charged in medical malpractice lawsuits and other torts; and

WHEREAS, the citizens of Alabama deserve competent medical care and the current crisis in the cost of medical malpractice insurance threatens both the availability and cost of such care; and

WHEREAS, businesses are threatened by the continuing increase in the cost of liability insurance coverage and the costly judgments in lawsuits against business and industry; and

WHEREAS, the Legislature of the State of Alabama, in order to protect Alabama citizens, must have adequate information to isolate the cause of these problems and fashion just remedies; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That there is hereby created The Task Force to Study the High Cost of Medical Malpractice Insurance and Civil Torts in the State of Alabama. Said Task Force shall be composed of five (5) members of the Alabama House of Representatives to be appointed by the Speaker of the House, and five (5) members of the Alabama Senate to be appointed by the Lieutenant Governor. The Governor, Lieutenant Governor, and the Speaker of the House or their appointed designees shall serve as ex-officio members.

Legislative members shall be paid their regular legislative compensation for each day's attendance at meetings when not in regular session plus actual expenses incurred in their duties as members of the Committee. Non-legislative members shall be reimbursed for actual expenses incurred in their duties as members of the Task Force.

**BE IT FURTHER RESOLVED,** That the Task Force is hereby authorized to elect a chairman and such other officers as is necessary to effectively carry out its duties. Said Task Force is hereby empowered to investigate the insurance rates for medical malpractice insurance and liability



insurance rates for business and industries and report its findings and recommendations to the Governor and each member of the Legislature by October 1, 1986. In order to fulfill its duties, said Task Force shall be authorized to investigate the policies and practices of companies offering medical malpractice insurance and liability insurance for business and industry in Alabama, including but not limited to, the investment income earned by such insurance carriers, the investment policies, the ownership of such companies, and the methods utilized in the setting of the malpractice insurance rates by said companies.

The Task Force is further authorized to investigate the reports of medical malpractice in the State of Alabama to determine how prevalent such incidents of malpractice are, whether or not the medical profession effectively polices its own membership to reduce such incidents, and whether or not the issue of high malpractice insurance rates is being exploited to justify increasing the cost of medical care.

The Task Force is further authorized to investigate and make recommendations as to the policies and procedures underlying the attorneys' fees charged in medical malpractice lawsuits and other civil torts. This authorization includes, but is not limited to, the investigation of how a contingency fee system impacts the amount and frequency of filings and settlements of malpractice lawsuits and other civil torts and the effect of a legislated attorney fee schedule on the crisis in Alabama.

The Task Force is hereby authorized to research the status of medical malpractice and other tort lawsuits and judgments in other states, including but not limited to, specific legislation proposed and/or enacted in such states. Further, said Task Force is authorized to utilize staff of the Legislature, the Legislative Fiscal Office, the Legislative Reference Service, the Examiners of Public Accounts, and the Alabama Law Institute. The expenses of said Task Force shall be paid from any funds appropriated for the use of the Legislature.

BE IT FURTHER RESOLVED, said Task Force shall have the power to subpoena witnesses and compel their attendance and may also require them to produce relevant records. Any member of said Task Force may administer oaths of affirmation to witnesses appearing before it. If any person shall refuse to appear as a witness before said board, or refuse to testify, or refuse to produce any books, papers or documents, the Task Force may present its petition to the circuit court of the county in which the state capitol is located, setting forth the facts, and thereupon such court shall, in a proper case, issue a subpoena to such person requiring his attendance before such circuit court and there to testify or to produce such books, papers and documents as may be deemed necessary and pertinent by the Task Force. Any person failing or refusing to obey the subpoena or order of said circuit court may be proceeded against in the same manner as for refusal to obey any other subpoena or order of said court.

Which was read and referred to the Standing Committee on Rules.

### **BILLS ON THIRD READING RESUMED**

#### **THE BILL:**

S. 339. To provide further for the compensation of certain professors and instructors at state four-year institutions of higher learning.

having been postponed subject to the call of the Chair on the Twenty-Third Legislative Day, was taken up.

The Standing Committee on Education reported the following amendment to the Bill, S. B. 339, to-wit:

#### AMENDMENT TO S. B. 339

Amend Senate Bill 339 on page 1, lines 26 and 27, by striking them and inserting in lieu thereof the following: "teachers at state universities and demand that within each institution the salaries of women faculty be increased to that of the men to achieve equalization; provided, however, that due consideration shall be given to teaching discipline, faculty rank, years of experience, and responsibilities. In order to remove the vestiges"

On motion of Senator Bedsole, said amendment was laid on the table.

Senator Bedsole then offered the following substitute for the Bill, S. B. 339, to-wit:

#### SUBSTITUTE FOR S. B. 339

##### A BILL TO BE ENTITLED AN ACT

To provide further for the compensation of certain professors and instructors at state four-year institutions of higher learning.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. It is the intent of this legislation that the compensation of men and women in the teaching profession at state four-year institutions of higher learning be equalized; and that the salaries of women faculty be increased to that of the men to achieve equalization; provided, however, that due consideration shall be given to teaching discipline, faculty rank, years of experience, and responsibilities. In order to equalize the recompense of men and women faculty members at the university level, the procedure as set forth in Section 2 of this Act is hereby established.

Section 2. The budget presentations of all four-year institutions of higher learning shall include an itemized and certified remuneration record by gender of each classification of instructional personnel and shall set forth salary criteria used to ensure that faculty members are receiving equal pay for equal work. Any four-year institution of higher learning receiving increased appropriations from the previous fiscal year must present positive evidence of the elimination of discrepancies in the salaries of men and women teachers. The Alabama Commission on Higher Education shall cause to be published annually a certified list of the salaries of each member of the faculty of each public institution of higher learning.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Senator Ellis, further consideration of the Bill, S. B. 339, and pending substitute, was postponed subject to the call of the Chair.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate:

S. 114. Relating to the licensing of real estate brokers and salesmen; to amend Section 34-27-35 of the Code of Alabama 1975 so as to provide for certain continuing education requirements for license renewal.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Teague, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 114, the title of which is set out in the foregoing Message from the House, to-wit:

### AMENDMENTS TO S. B. 114

Amend S. 114 on page 4, line 8, by adding the following:

Any licensee who is sixty-five (65) years of age or greater shall be exempt from this section.

Also:

Amend S. B. 114 as follows:

On page 3, line 30, between the period after the word "renewal" and the word "the" insert the following:

Provided, however, that proof of attendance at such course work, whether or not the applicant attained a passing grade in such course, shall be sufficient to satisfy requirements for renewal.

Yeas 19; Nays 0.

Yeas:

Senators:	deGraffenried	Hand	Parsons
Barron	Dixon	Holmes	Sanders
Bedford	Figures	Langford	Smith (J)
Bedsole	Foshee	Little	Strong
Corbett	Goodwin	Menton	Teague

—19

Nays:

—0

### BILLS ON THIRD READING RESUMED

Senator Little requested and received permission to suspend the Rules in order to bring up the Bill:

S. 461. To authorize the governing body of any county or municipality, or any county and municipality or municipalities to establish historic preservation commissions and architectural review boards in order to preserve and protect buildings, sites, structures, areas and districts of historic significance, architectural, archaeological and aesthetic heritage in the state, and to promote these attractions to tourists and visitors; to provide for the membership, the qualifications and terms, the powers, duties, and appointments to such commissions and boards; to prescribe that certain reporting shall be made to the Alabama Historical Commission and to the local governing bodies; to provide for the reimbursement of expenses of members, the rules of procedures for operations, and notice of meetings; to provide that each commission shall constitute a non-profit governmental agency

whose funds shall be used exclusively for public purposes; to prescribe that certain restrictions shall be placed on designated properties, and provide exceptions thereto; to provide for appeals and other judicial processes; to preserve certain existing historic development commissions or architectural review boards; to authorize these to be certified with local government status or to assume the powers of this act pursuant to proper ordinance; and to provide that the provisions of this act are cumulative.

And said Bill, S. B. 461, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	deGraffenried	Hand	Menton	
Barron	Denton	Hilliard	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Foshee	Langford	Teague	
Corbett	Goodwin	Little		—18

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

On motion of Senator Bedsole, the Rules were suspended and the B. I. R., S. B. 578, was adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	deGraffenried	Hilliard	Parsons	
Barron	Denton	Holmes	Sanders	
Bedsole	Foshee	Langford	Strong	
Corbett	Goodwin	Little	Teague	
Covington	Hand	Menton		—18

*Nays:* —0

### BILLS ON THIRD READING RESUMED

Senator Bedsole requested and received permission to suspend the Rules in order to bring up the Bill:

S. 578. To amend Section 33-4-48, Code of Alabama 1975, which provides for bar pilot fees, so as to provide further for said fees.

And said Bill, S. B. 578, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Hand	Menton	
Aldridge	Covington	Hilliard	Sanders	
Barron	deGraffenried	Holmes	Strong	
Bedford	Foshee	Langford	Teague	
Bedsole	Goodwin	Little		—18

*Nays:* —0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Cosby:

H. 381. To amend sections 27-40-1, 27-40-8, 27-40-9, 27-40-10, and 27-40-12, Code of Alabama 1975, relating to insurance premium finance companies, so as to provide further for the regulation of such companies; to provide additional rates and charges allowable by such companies; and to provide for disbursement of the amount financed and to prohibit certain activities used to induce the financing of such insurance contracts.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 381—to the Committee on Buildings and Grounds

**REPORT OF  
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills, respectively, and finds same correctly engrossed, to-wit:

S. 569. Relating to DeKalb County; creating the DeKalb County Commission Redistricting Study Committee.

Also:

S. 105. To provide a salary increase and longevity pay for certain state employees and to appropriate funds therefor.

Also:

S. 232. To require notice to a parent prior to performing an abortion on an unemancipated minor who is less than sixteen and one day years old, or any mentally incompetent person, regardless of age, under the guardianship of another, to the extent constitutionally permissible; to provide for the enforcement of this Act; and to prescribe penalties for violations.

CHARLES BISHOP,  
Chairperson.

**ADJOURNMENT**

At 6 o'clock P.M., on motion of Senator Teague, the Senate adjourned until Tuesday, April 8, 1986, at 10 o'clock A.M.

## **TWENTY-SIXTH LEGISLATIVE DAY**

**TUESDAY, APRIL 8, 1986**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

### **PRAYER**

The Session was opened with prayer by the Reverend Jack F. Douglas, Evangelist, First Baptist Church, Pelham, Alabama.

### **PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Tara Crabtree, Robert E. Lee High School, Montgomery, Alabama.

### **ROLL CALL**

Present:

Senators:	Cabaniss	Figures	Menton
Aldridge	Cooley	Foshee	Mitchem
Amari	Covington	Goodwin	Parsons
Bailey	deGraffenried	Hand	Sanders
Barron	Denton	Hilliard	Smith (B)
Bedford	Dial	Holmes	Smith (J)
Bedsole	Dixon	Horn	Strong
Bennett	Drinkard	Langford	Teague
Bishop	Ellis	Little	

—34

### **JOURNAL**

On motion of Senator Denton, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

### **REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Fifth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

### **COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Fifth Legislative Day was approved by the Senate.

### **LEAVE OF ABSENCE**

On motion of Senator Denton, leave of absence was granted to Senator Corbett for today.

**BUDGET ISOLATION RESOLUTION**

On motion of Senator Covington, the Rules were suspended and the B. I. R., H. B. 767, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton
Aldridge	Covington	Hand	Mitchem
Barron	Denton	Holmes	Parsons
Bedford	Dial	Horn	Sanders
Bedsole	Dixon	Langford	Strong
Bennett	Ellis	Little	Teague
Cabaniss	Figures		

—25

*Nays:* —0

**BILLS ON THIRD READING**

Senator Covington requested and received permission to suspend the Rules in order to bring up the Bill:

H. 767. To authorize the governing body of Pike County, Alabama, to levy and collect special county privilege and license taxes, paralleling the state sales taxes provided for in Division 1 of Article 1 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, and special county excise taxes paralleling the state use taxes provided for in Article 2 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, upon approval of the electors of the county in an advisory referendum; to specify the rates at which such taxes may be levied; to provide for the ascertainment, collection, payment, and distribution and use of the proceeds of the said taxes by the Troy-Pike County Lake Authority for the Walnut Creek Lake Project if levied by the said governing body; to provide for the enforcement of this act by the State Department of Revenue; and to provide for an advisory referendum election to determine if a majority of the electors voting at said election favor authorizing the governing body to levy such taxes.

And said Bill, H. B. 767, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton
Aldridge	Covington	Hand	Mitchem
Barron	Denton	Holmes	Parsons
Bedford	Dial	Horn	Sanders
Bedsole	Dixon	Langford	Strong
Bennett	Ellis	Little	Teague
Cabaniss	Figures		

—25

*Nays:* —0

**REPORT OF COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and

Senate Joint Resolution with the original Senate Bills and Senate Joint Resolution respectively, and finds same correctly enrolled, to-wit:

S. 114. Relating to the licensing of real estate brokers and salesmen; to amend Section 34-27-35 of the Code of Alabama 1975 so as to provide for certain continuing education requirements for license renewal.

Also:

S. 561. To amend the title and Section 1 of Act No. 82-317, H. 793 of the 1982 Regular Session (Acts 1982, p. 429) relating to allocation and distribution of certain oil and gas privilege tax revenues accruing to Fayette County or any municipality therein, so as to provide further for such allocation and distribution.

Also:

S. 575. To provide for the filing for record and the preservation of all orders and judgments made and entered by any judge of the circuit court of the 15th Judicial Circuit of Alabama, and to provide that such judgments or orders shall have the same force and effect as minutes of the circuit court of said circuit prior to the passage and approval of this act and to provide for retroactive effect.

Also:

S. J. R. 280. DESIGNATING APRIL 4, 1986, AS TREE FARM DAY IN ALABAMA.

CHARLES BISHOP,  
Chairperson.

### SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills and Senate Joint Resolution, the titles of which are set out in the foregoing report from the Committee on Rules.

### BUDGET ISOLATION RESOLUTION

On motion of Senator Langford, the Rules were suspended and the B. I. R., H. B. 638, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton
Aldridge	Denton	Hand	Mitchem
Barron	Dial	Holmes	Parsons
Bedford	Dixon	Horn	Sanders
Bedsole	Drinkard	Langford	Strong
Bennett	Ellis	Little	Teague
Cabaniss	Figures		

—25

*Nays:*

—0



**BILLS ON THIRD READING RESUMED**

Senator Langford requested and received permission to suspend the Rules in order to bring up the Bill:

H. 638. To amend Section 15 of Act No. 1606, H. 1891, 1971 Regular Session (Acts 1971, p. 2761), previously amended by Act No. 587, H. 1383, the Regular Session of the Alabama Legislature 1975, which act, as amended, creates in the City of Montgomery in connection with the regular organized and paid Fire Department of the City of Montgomery the Montgomery Fire Fighters Pension Fund, so as to authorize the trustees of the Montgomery Fire Fighters Pension Fund through a majority of the Board of Trustees the power to repeal, alter, amend, delete, or otherwise in their discretion change the benefits available pursuant to the Montgomery Fire Fighters Pension Fund but not authorizing said trustees to stop or in any way take away or alter benefits presently being received by any member of the fund, presently receiving benefits therefrom, and expressly repealing Sections 16, 17, 18, 19, and 24.

And said Bill, H. B. 638, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Aldridge	Denton	Hand	Mitchem	
Barron	Dial	Holmes	Parsons	
Bedford	Dixon	Horn	Sanders	
Bedsale	Drinkard	Langford	Strong	
Bennett	Ellis	Little	Teague	
Cabaniss	Figures			—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

On motion of Senator deGraffenried, the Rules were suspended and the B. I. R., H. B. 799, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Aldridge	deGraffenried	Hand	Mitchem	
Barron	Denton	Holmes	Parsons	
Bedsale	Dial	Horn	Sanders	
Bennett	Dixon	Langford	Strong	
Bishop	Ellis	Little	Teague	
Cabaniss	Figures			—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

Senator deGraffenried requested and received permission to suspend the Rules in order to bring up the Bill:

H. 799. To authorize the governing body of Tuscaloosa County, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama

of 1901, to increase the rate at which there is levied and collected by Tuscaloosa County, on all taxable property situated within the special school tax district subject to the jurisdiction and control of the Tuscaloosa City Board of Education, the special ad valorem tax for public school purposes which is authorized in Section 2 of Amendment No. 3 to the Constitution, to a maximum rate, for any tax year of the county, which, when added to the rate at which there is being levied and collected in the said special school tax district for such tax year a special ad valorem tax for educational purposes pursuant to Amendment No. 164 to the Constitution, does not exceed \$1.55 on each one hundred dollars (15.5 mills on each dollar) of assessed value.

And said Bill, H. B. 799, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Aldridge	deGraffenried	Hand	Mitchem	
Barron	Denton	Holmes	Parsons	
Bedsole	Dial	Horn	Sanders	
Bennett	Dixon	Langford	Strong	
Bishop	Ellis	Little	Teague	
Cabaniss	Figures			—25

Nays: —0

### BUDGET ISOLATION RESOLUTION

On motion of Senator deGraffenried, the Rules were suspended and the B. I. R., H. B. 800, was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Goodwin	Menton	
Aldridge	deGraffenried	Hand	Mitchem	
Bailey	Denton	Holmes	Parsons	
Barron	Dial	Horn	Sanders	
Bedsole	Dixon	Langford	Strong	
Bennett	Ellis	Little	Teague	
Bishop	Foshee			—25

Nays: —0

### BILLS ON THIRD READING RESUMED

Senator deGraffenried requested and received permission to suspend the Rules in order to bring up the Bill:

H. 800. To propose an amendment to the Constitution of Alabama relating to the levy and collection of special property taxes for public school purposes in the Special School Tax District in Tuscaloosa County, Alabama, which is under the jurisdiction and control of the Tuscaloosa City Board of Education.

And said Bill, H. B. 800, was read a third time at length as required by the Constitution, and passed.

REGULAR SESSION  
26th Day

1029

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Menton
Aldridge	deGraffenried	Hand	Mitchem
Bailey	Denton	Holmes	Parsons
Barron	Dial	Horn	Sanders
Bedsole	Dixon	Langford	Strong
Bennett	Ellis	Little	Teague
Bishop	Foshee		

—25

*Nays:* —0

RESOLUTION

Senators Bennett, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Horn, Langford, Little, Menton, Mitchem, Parsons, Sanders, Smith (B), Smith (J), Strong, and Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 314. CONGRATULATING DR. HAROLD J. MCGEE ON HIS SELECTION AS PRESIDENT OF JACKSONVILLE STATE UNIVERSITY.

WHEREAS, Dr. Harold J. McGee, Vice-President for Administrative Affairs at James Madison University, has been named President of Jacksonville State University effective July 1, 1986; and

WHEREAS, Dr. McGee will succeed Dr. Theron E. Montgomery, who is retiring after serving as President since 1981; and

WHEREAS, Dr. McGee brings to J.S.U. an impressive background of academic experience including previous service as Vice-President for Student Affairs, Assistant to the President, Director of the Division of Graduate Studies, Sponsored Programs and Continuing Education, and Dean of the Graduate School, in addition to being acting Athletic Director, acting Vice-President for Academic Affairs and acting President at James Madison; and

WHEREAS, he was the founding President of Piedmont Community College, Provost of Tidewater Community College, Senior Program Officer for Region III for Higher Education, United States Office of Education, and Dean of Admissions and Registration at Old Dominion University; and

WHEREAS, he was selected by the J.S.U. Board of Trustees over 75 candidates after a lengthy interview process; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Dr. McGee is hereby congratulated on his selection to lead Jacksonville State University to even greater accomplishments; and

BE IT FURTHER RESOLVED, That Dr. McGee be sent a copy of this resolution with our very best wishes for success.

On motion of Senator Bennett, the Rules were suspended and the Resolution was adopted by the Senate.

**BUDGET ISOLATION RESOLUTION**

On motion of Senator Dixon, the Rules were suspended and the B. I. R., H. B. 649, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Hand	Menton	
Amari	Denton	Hilliard	Mitchem	
Bailey	Dial	Holmes	Parsons	
Barron	Dixon	Horn	Sanders	
Bedsole	Drinkard	Langford	Strong	
Bennett	Ellis	Little	Teague	
Cabaniss	Foshee			—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

Senator Dixon requested and received permission to suspend the Rules in order to bring up the Bill:

H. 649. Relating to the City of Montgomery in Montgomery County; to authorize the City of Montgomery to grant city ad valorem tax exemptions for up to fifteen (15) years to owner-developers who build new commercial or industrial facilities within the downtown business district as defined by the governing body of said city providing that such owner-developers receiving such exemptions shall, however, continue to pay city ad valorem property taxes on such property as was paid in the year preceding the improvement caused by the construction or development of the new commercial or industrial facility; to provide that the tax exemption herein shall not affect any taxes other than city ad valorem taxes; and to provide for the procedures to be followed in the granting of such exemptions.

And said Bill, H. B. 649, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Hand	Menton	
Amari	Denton	Hilliard	Mitchem	
Bailey	Dial	Holmes	Parsons	
Barron	Dixon	Horn	Sanders	
Bedsole	Drinkard	Langford	Strong	
Bennett	Ellis	Little	Teague	
Cabaniss	Foshee			—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

On motion of Senator Figures, the Rules were suspended and the B. I. R., S. B. 655, was adopted.

**REGULAR SESSION  
26th Day**

1031

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Amari	Denton	Goodwin	Parsons	
Barron	Dial	Hand	Sanders	
Bedford	Dixon	Hilliard	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bennett	Ellis	Little	Teague	
Bishop	Figures			—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

Senator Figures requested and received permission to suspend the Rules in order to bring up the Bill:

S. 655. Relating to Mobile County; creating and providing for a county racing commission for the regulation, licensure and supervision of dog racing and wagering thereon; prescribing the composition, appointment, powers and duties of the commission; providing for and regulating the pari-mutuel or certificate method of wagering within the enclosure of licensed racetracks; providing for the distribution of license fees, taxes, commissions, and other monies received under the provisions of this act; and providing for penalties.

And said Bill, S. B. 655, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Menton	
Amari	Denton	Goodwin	Parsons	
Barron	Dial	Hand	Sanders	
Bedford	Dixon	Hilliard	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bennett	Ellis	Little	Teague	
Bishop	Figures			—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

On motion of Senator Strong, the Rules were suspended and the B. I. R., S. B. 543, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Parsons	
Amari	Dial	Hand	Sanders	
Barron	Dixon	Hilliard	Smith (B)	
Bedsole	Drinkard	Horn	Smith (J)	
Bennett	Ellis	Little	Strong	
Cabaniss	Figures	Menton	Teague	
Cooley	Foshee			—25

*Nays:*

—0

## INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Cooley:

S. 674. To provide that any former circuit court judge who has been elected four terms as Governor may elect to come under the provisions of Article 1 of the judicial retirement fund; to further provide upon such election such judge shall be required to contribute a sum to the judicial retirement fund as a prerequisite to the receipt of credit for his prior judicial service; to further provide for the transfer of creditable service and contributions from any other state retirement system to the judicial retirement fund; to prohibit any former judge electing to come under the provisions of this act from receiving benefits under any other state retirement system; and to provide that any former judge electing to come under the provisions of this act shall not be subject to the provisions of Article 2A of the judicial retirement fund.

Committee on Rules.

By Senator Smith (J) (With Notice and Proof):

S. 675. Relating to Limestone County; amending Act No. 79-501, S. 620, 1979 Regular Session, as amended, and amending Act No. 83-535, H. 640, 1983 Regular Session, as amended, which provide for the distribution of TVA payments, so as to provide further for said payment.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 675, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senators Ellis and Goodwin (With Notice and Proof):

S. 676. Relating to Bibb County; to provide for an additional expense allowance for members of the county commission.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 676, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Hand (With Notice and Proof):

S. 677. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Foley, in Baldwin County.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 677, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Dr. LaRue W. Harding to the Alabama State University Board of Trustees

On motion of Senator Bishop, the appointment of Dr. Harding was confirmed by the Senate.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Bennett	Figures	Langford	
Aldridge	Bishop	Goodwin	Little	
Amari	Cabaniss	Hand	Menton	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Strong	
Bedsole	Dixon			—21

*Nays:* —0

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mrs. Frankie Underwood to the Alabama State University Board of Trustees

On motion of Senator Bishop, the appointment of Mrs. Underwood was confirmed by the Senate.

Yeas 23; Nays 0.

*Yeas:*

Senators:	Bennett	Figures	Little	
Amari	Bishop	Goodwin	Menton	
Bailey	Cabaniss	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Horn	Smith (B)	
Bedsole	Dixon	Langford	Strong	—23

*Nays:* —0

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mrs. William A. Parker to the Alabama State University Board of Trustees

On motion of Senator Bishop, the appointment of Mrs. Parker was confirmed by the Senate.

Yeas 23; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Mitchem	
Amari	Denton	Hand	Parsons	
Barron	Dial	Hilliard	Sanders	
Bedford	Dixon	Horn	Smith (B)	
Bedsole	Figures	Langford	Strong	
Bishop	Foshee	Menton	Teague	—23

Nays:

—0

**RESOLUTION**

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 315. RESOLVED BY THE SENATE That the following bill in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon adoption for the twenty-sixth legislative day of the 1986 Regular Session until disposed of:

<u>BILL NO.</u>	<u>DESCRIPTION</u>	<u>PAGE NO.</u>
HB 166	General Fund Budget	117

On motion of Senator Bishop, the Resolution was adopted by the Senate.

**SPECIAL ORDER****BILLS ON THIRD READING RESUMED**

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, which was the Bill:

H. 166. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1987.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, H. B. 166, to-wit:

**SUBSTITUTE FOR H. B. 166**

**A BILL  
TO BE ENTITLED  
AN ACT**

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1987.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

**SECTION 1:** The monies in Section 2 are appropriated from the named funds for the 1986-87 fiscal year to the state agency indicated, as the amounts to be used to pay the expenditures of the named agencies, and are in lieu of all monies appropriated for these purposes in other sections of the Alabama Statutes.



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For the purpose of this Act, the amounts herein for expenditures are listed by programmatic area and the total for all programs are shown by the source of funds. It is intended that only the named funds be appropriated to the agency concerned; and that the following definitions shall be applicable:

(a) "Appropriation Total" shall mean the aggregate total of all fund sources.

(b) "Program" shall mean specific governmental services required to achieve a specific objective. A program shall be directed to meeting the need of an identified clientele, or group of recipients or beneficiaries.

(c) "Capital Outlay" shall mean expenditures which result in the acquisition and/or addition to items, such as land or buildings, which have an appreciable and calculable period of usefulness in excess of one year, and shall be expended only for such purposes.

(d) "Debt Service" shall mean an expenditure for the payment of interest and principal on all bonded debt obligations of the State, and shall be expended only for such purposes.

SECTION 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for other functions of government, for the principal and interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1987, to be paid out of any monies hereinafter specified, from such other funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor, except as provided in the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975. Provided, however, that regardless of the ending date of any pay period which has been or may be established by the Legislature for the payment of salaries of state employees, the entire payment due shall be made from the fiscal year's appropriation in which the pay date falls.

Fund Sources Included  
In Appropriation Total

General Fund	Trust Fund	Appropriation Total
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2A. LEGISLATIVE

1. EXAMINERS OF PUBLIC  
ACCOUNTS, DEPARTMENT  
OF:

(a) Legislative Support-Audit  
Services Program ..... 4,498,830

The appropriation to the Examiners of Public Accounts shall include a transfer to the State Personnel Department of \$13,019.

SOURCE OF FUNDS:

(1) State General Fund .....	3,968,789		
(2) Federal Funds .....		530,041	
Total Department of Examiners of Public Accounts .....	3,968,789	530,041	4,498,830

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
2.	LEGISLATIVE COUNCIL:			
	(a) Legislative Operations and Support Program .....			171,900
	SOURCE OF FUNDS:			
	(1) State General Fund .....	171,900		
	Pursuant to Sections 29-6-1 et seq., <u>Code of Alabama 1975</u> .			
	Total Legislative Council .....	171,900		171,900
3.	LEGISLATIVE FISCAL OFFICE:			
	(a) Legislative Operations and Support Program (to include program review and evalua- tion).			915,390
	SOURCE OF FUNDS:			
	(1) State General Fund .....	907,890		
	(2) Transfer from Legislative Reference Service .....		7,500	
	Total Legislative Fiscal Office	907,890	7,500	915,390
4.	LEGISLATIVE REFERENCE SERVICE:			
	(a) Legislative Operations and Support Program .....			1,009,500
	The appropriation to the Leg- islative Reference Service shall include a transfer to the State Personnel Department of \$485.			
	SOURCE OF FUNDS:			
	(1) State General Fund .....	1,009,500		
	Total Legislative Reference Service .....	1,009,500		1,009,500
5.	LEGISLATURE:			
	(a) Legislative Operations and Support Program .....			1,361,259
	Of the above appropriation at least \$50,000 shall be allocated for Ways and Means Commit- tee, House Rules Committee and Speaker of the House Of- fice.			
	The appropriation to the Leg- islature shall be expended un- der the provisions set forth in Section 29-1-22, <u>Code of Ala- bama 1975</u> , as amended.			

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) State General Fund .....	1,261,259			
(2) State General Fund- For expenses as provided for in Section 29-1-10, Code of Ala- bama, 1975 pertaining to its organization session .....	100,000			
Total Legislature .....	1,361,259			1,361,259
6. LEGISLATURES, NATIONAL CONFERENCE OF STATE:				
(a) Legislative Operations and Support Program .....				64,401
SOURCE OF FUNDS:				
(1) State General Fund .....	64,401			
Total National Conference of State Legislatures .....	64,401			64,401
B. JUDICIAL:				
1. COURT OF CIVIL APPEALS:				
(a) Court Operations Program .....				988,661
SOURCE OF FUNDS:				
(1) State General Fund .....	947,551			
(2) State General Fund-1985 Judicial Compensation Report .....	41,110			
Total Court of Civil Appeals ..	988,661			988,661
2. COURT OF CRIMINAL APPEALS:				
(a) Court Operations Program .....				1,479,491
SOURCE OF FUNDS:				
(1) State General Fund .....	1,386,469			
(2) State General Fund-1985 Judicial Compensation Report .....	93,022			
Total Court of Criminal Appeals .....	1,479,491			1,479,491
3. JUDICIAL INQUIRY COMMISSION:				
(a) Administrative Services Program .....				85,473
The appropriation to the Ju- dicial Inquiry Commission shall				

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
include a transfer to the State Personnel Department of \$40.				
SOURCE OF FUNDS:				
	(1) State General Fund .....	85,473		
	Total Judicial Inquiry Commission .....	85,473		85,473
4.	JUDICIAL RETIREMENT FUND:			
	(a) Retirement Systems Program .....			1,386,000
SOURCE OF FUNDS:				
	(1) State General Fund .....	1,386,000		
	Total Judicial Retirement Fund .....	1,386,000		1,386,000
5.	SUPREME COURT:			
	(a) Court Operations Program .....			3,752,057
SOURCE OF FUNDS:				
	(1) State General Fund .....	3,563,105		
	(2) State General Fund-1985 Judicial Compensation Report .....	166,952		
	(3) Federal, Local and Miscel- laneous Funds .....		22,000	
	Total Supreme Court .....	3,730,057	22,000	3,752,057
6.	UNIFIED JUDICIAL SYSTEM: (Administrative Office of Courts)			
	(a) Court Operations Program .....			52,185,978
	(b) Administrative Services Program .....			3,201,673
	(c) Consultant and Planning Program .....			191,000
	(d) DUI Program .....			95,500
SOURCE OF FUNDS:				
	(1) State General Fund .....	53,301,473		
	(2) State General Fund-1985 Judicial Compensation Report .....	1,214,860		
	(3) State General Fund-Act 85-654-Court Reporters Raise .....	551,823		

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
(4) Clerks' and Registers' Su- pernumery Fund .....		605,995	
Total Unified Judicial System .....	55,068,156	605,995	55,674,151

**C. EXECUTIVE:**

**1. ACADEMY OF HONOR,  
ALABAMA:**

**(a) Historical Resources**

Management Program ..... 812

**SOURCE OF FUNDS:**

(1) State General Fund ..... 812

As provided in Section 41-  
11-6, Code of Alabama  
1975 .....

Total Alabama Academy of  
Honor ..... 812 812

**2. ACCOUNTANCY, ALABAMA  
STATE BOARD OF PUBLIC:**

**(a) Professional and Occupational  
Licensing and Regulation  
Program .....**

295,000

The appropriation to the Ala-  
bama State Board of Public  
Accountancy shall include a  
transfer to the State Personnel  
Department of \$162.

**SOURCE OF FUNDS:**

(1) Alabama State Board of  
Public Accountancy  
Fund .....

295,000

As provided in Section 34-1-  
22, Code of Alabama 1975. In  
addition to the amounts ap-  
propriated hereinabove to the  
State Board of Public Accoun-  
tancy, there is hereby appro-  
priated such an amount as may  
be necessary to pay the refund  
of any application for license  
which may have been rejected  
by the Board or withdrawn by  
request of applicant.

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Alabama State Board of Public Accountancy .....			295,000	295,000
3.	ADJUSTMENT, BOARD OF:			
(a)	Special Services Program .....			230,000
	SOURCE OF FUNDS:			
(1)	State General Fund .....	15,000		
	For the State General Fund Contribution to the total expenditure of \$750,000 pursuant to Sec- tion 41-9-73, <u>Code of Ala-</u> <u>bama 1975</u> , as amended.			
(2)	State General Fund, Estimated .....	200,000		
	For expenditures as pro- vided in Section 31-3-2 and Section 36-30-2, <u>Code of</u> <u>Alabama 1975</u> , as amended.			
(3)	State General Fund - Ad- ministrative Costs .....	15,000		
	Total Board of Adjustment ....	230,000		230,000
4.	AERONAUTICS, DEPARTMENT OF:			
(a)	Airport Development and Aer- onautical Support Program ....			687,760
	The appropriation to the De- partment of Aeronautics shall include a transfer to the State Personnel Department of \$364.			
	SOURCE OF FUNDS:			
(1)	Airport Development Fund .....		687,760	
	As provided by Section 4- 2-42, <u>Code of Alabama</u> <u>1975</u> .			
	Total Department of Aeronautics .....		687,760	687,760
5.	AGING, COMMISSION ON:			
(a)	Planning and Advocacy for El- derly Program .....			25,299,400
	The appropriation to the Com- mission on Aging shall include			

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
a transfer to the State Personnel Department of \$1,819.				
SOURCE OF FUNDS:				
(1) State General Fund- Transfer .....	2,300,000			
(2) Federal, Local and Miscellaneous Funds .....			22,999,400	
Total Commission on Aging ..	2,300,000	22,999,400		25,299,400
6. AGRICULTURAL AND CONSERVATION DEVELOPMENT COMMISSION:				
(a) Water Resource Development Program .....				3,000,000
SOURCE OF FUNDS:				
(1) State General Fund- Transfer .....	3,000,000			
Total Agricultural and Conservation Development Commission .....	3,000,000			3,000,000
7. AGRICULTURAL AND INDUSTRIAL EXHIBIT COMMISSION, ALABAMA:				
(a) Agricultural Development Services Program .....				28,650
SOURCE OF FUNDS:				
(1) State General Fund .....	28,650			
Total Alabama Agricultural and Industrial Exhibit Commission .....	28,650			28,650
8. AGRICULTURAL CENTER BOARD:				
(a) Agricultural Development Services Program .....				699,874
The appropriation to the Agricultural Center Board shall include a transfer to the State Personnel Department of \$768.				
SOURCE OF FUNDS:				
(1) State General Fund .....	99,320			
For expense and awarding of prizes for fairs as provided in Section 2-7-2, Code of Alabama 1975.				

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Fund	
(2) State General Fund- Transfer-Operations .....	95,500		
(3) State General Fund- Transfer-Livestock Coliseum .....	245,244		
(4) Livestock Coliseum Fund		259,810	
Total Agricultural Center Board .....	440,064	259,810	699,874

9. AGRICULTURE AND  
INDUSTRIES, DEPARTMENT  
OF:

(a) Administrative Services Program .....	1,473,494
(b) Agricultural Inspection Ser- vices Program .....	10,757,091
(c) Laboratory Analysis and Dis- ease Control Program .....	3,992,889
(d) Agricultural Development Services Program .....	1,750,617
(e) Special Agricultural Services Program .....	30,000

The appropriation to the De-  
partment of Agriculture and  
Industries shall include a  
transfer to the State Personnel  
Department of \$35,540.

SOURCE OF FUNDS:

(1) State General Fund- Transfer .....	7,474,880
(2) Federal, Local and Miscel- laneous Funds .....	2,447,125
(3) Shipping Point Inspection Fund .....	4,521,500

Pursuant to Sections 2-9-  
20 et seq., Code of Ala-  
bama 1975. All fees and  
charges collected by the  
Commissioner of Agricul-  
ture and Industries and  
deposited into said fund,  
and such appropriation to  
the Department of Agri-  
culture and Industries shall



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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
include all fees and charges collected and deposited therein for Shipping Point Inspection grading and classification services for agricultural products including services furnished for weighing and issuing weight certificates to be used for the sale of agricultural commodities.				
4. Agricultural Fund .....		3,560,586		
Total Department of Agriculture and Industries .....		7,474,880	10,529,211	18,004,091
10. AIR TRANSPORTATION AND SERVICE, DEPARTMENT OF:				
(a) Administrative Support Services Program .....				2,277,444
The appropriation to the Department of Air Transportation and Service shall include a transfer to the State Personnel Department of \$1,375.				
SOURCE OF FUNDS:				
(1) State General Fund-Transfer .....		1,202,956		
(2) Departmental Receipts .....			1,074,488	
Total Department of Air Transportation and Service ....		1,202,956	1,074,488	2,277,444
11. ALABAMA TRUST FUND BOARD:				
(a) Administrative Program .....				238,750
SOURCE OF FUNDS:				
(1) State General Fund-Transfer .....		238,750		
Total Alabama Trust Fund Board .....		238,750		238,750
12. ALCOHOLIC BEVERAGE CONTROL BOARD, ALABAMA:				
(a) Alcoholic Beverage Management Program .....				24,029,145
(b) Enforcement Program .....				5,886,000

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(c)	Administrative Services Program .....			4,044,840
<p>The appropriation to the Alabama Alcoholic Beverage Control Board shall include a transfer to the State Personnel Department of \$77,510 and to the Department of Mental Health of \$1,000,000.</p> <p>SOURCE OF FUNDS:</p>				
	(1) ABC Board Fund .....			33,959,985
<p>In addition to the above appropriations herein made, there is hereby appropriated for each additional retail store put into operation during the fiscal year, an amount equal to the sum required to install and operate the last comparable retail store put into operation by said Board provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alabama Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized, such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation. In addition to the above appropriation, it is further provided that, in the event any county or municipality of the State shall, during the fiscal period</p>				

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Fund Sources Included  
In Appropriation Total

General Fund	Trust Fund	Appropriation <u>Total</u>
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covered by this appropriation by proper referendum, authorize the legal sale of malt and brewed beverages within such county or municipality there is further appropriated, in addition to the amount herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further that the amount appropriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during the fiscal period covered by this appropriation by proper referendum, declare unlawful the sale in such county or municipality of such malt or brewed beverages.

Total Alabama Alcoholic Beverage Control Board .....

33,959,985    33,959,985

**13. ARCHITECTS, BOARD FOR  
REGISTRATION OF:**

- (a) Professional and Occupational  
Licensing and Regulation  
Program .....

164,000

The appropriation to the Board for Registration of Architects shall include a transfer to the State Personnel Department of \$121.

**SOURCE OF FUNDS:**

- (1) Fund of the Board for Registration of Architects .....

164,000

As provided in Section 34-2-41, Code of Alabama  
1975.

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Board for Registration of Architects .....			164,000	164,000
14.	ARCHIVES AND HISTORY, DEPARTMENT OF:			
(a)	Historical Resources Manage- ment Program .....			1,441,788
(b)	Alabama Newspaper Project ..			44,000
(c)	Wilcox Historical Society .....			10,000
(d)	Statistical Register .....			20,000
The appropriation to the De- partment of Archives and His- tory shall include a transfer to the State Personnel Depart- ment of \$3,113.				
SOURCE OF FUNDS:				
(1)	State General Fund .....	1,345,869		
(2)	Federal Funds .....		169,919	
Total Department of Archives and History .....		1,345,869	169,919	1,515,788
15.	ATTORNEY GENERAL, OFFICE OF THE:			
(a)	Legal Advice and Legal Serv- ices Program .....			4,835,052
(b)	Fair Marketing Practices Program .....			474,028
The appropriation to the Of- fice of the Attorney General shall include a transfer to the State Personnel Department of \$11,847.				
SOURCE OF FUNDS:				
(1)	State General Fund- Transfer .....	3,868,207		
(2)	State General Fund- Transfer-Consumer Protection .....	454,028		
(3)	Transfer from Pensions and Security .....		446,165	
(4)	Federal, Local and Miscel- laneous Funds .....		540,680	
Total Office of the Attorney General .....		4,322,235	986,845	5,309,080

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
16.	AUDITOR, STATE:			
	(a) Fiscal Management Program			814,844
	The appropriation to the State Auditor shall include a transfer to the State Personnel Department of \$1,819.			
	SOURCE OF FUNDS:			
	(1) State General Fund .....	814,844		
	Total State Auditor .....	814,844		814,844
17.	BANKING DEPARTMENT, STATE:			
	(a) Charter, License and Regulate Financial Institutions Program .....			2,521,121
	The appropriation to the State Banking Department shall include a transfer to the State Personnel Department of \$3,962.			
	SOURCE OF FUNDS:			
	(1) Banking Assessment Fees .....		2,249,980	
	As provided in Section 5-2A-20, <u>Code of Alabama 1975</u> .			
	(2) Loan Examination Fund As provided in Section 5-2A-24, Section 5-16-38.1, and Section 5-18-5, <u>Code of Alabama 1975</u> , as amended.		271,141	
	Total State Banking Department .....		2,521,121	2,521,121
18.	BAR ASSOCIATION, ALABAMA STATE:			
	(a) Professional and Occupational Licensing and Regulation Program .....			1,030,561
	SOURCE OF FUNDS:			
	(1) State Bar Association Fund .....		950,561	
	As provided in Section 34-3-4, and Section 34-3-44, <u>Code of Alabama 1975</u> .			

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(2) Local Funds Estimated ....			80,000	
As provided in Sections 34-3-44, 34-3-17 and 34-3-18, Code of Alabama 1975.				
Total Alabama State Bar Association .....			1,030,561	1,030,561
<hr/>				
19.	BEAR CREEK DEVELOPMENT AUTHORITY:			
(a)	Water Resource Development Program .....			362,500
SOURCE OF FUNDS:				
(1)	State General Fund .....	57,200		
(2)	Federal, Local and Miscellaneous Funds .....		305,300	
Total Bear Creek Development Authority .....		57,200	305,300	362,500
<hr/>				
20.	BUILDING COMMISSION, STATE:			
(a)	Special Services Program .....			610,625
The appropriation to the State Building Commission shall include a transfer to the State Personnel Department of \$1,456.				
SOURCE OF FUNDS:				
(1)	State General Fund-Transfer .....	358,125		
(2)	Federal, Local and Miscellaneous Funds .....		252,500	
Total State Building Commission .....		358,125	252,500	610,625
<hr/>				
21.	CAHAWBA ADVISORY COMMITTEE:			
(a)	Historical Resources Management Program .....			9,550
SOURCE OF FUNDS:				
(1)	State General Fund .....	9,550		
Total Cahawba Advisory Committee .....		9,550		9,550

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
22.	<b>CHILD ABUSE AND NEGLECT PREVENTION BOARD:</b>			
	(a) Social Services Program .....			270,000
	In accordance with Sections 26-16-1 et seq., and 26-16-30 et seq., <u>Code of Alabama 1975</u> , as amended. The appropriation to the Child Abuse and Neglect Prevention Board shall include a transfer to the State Personnel Department of \$81.			
	<b>SOURCE OF FUNDS:</b>			
	(1) Children's Trust Fund, Estimated .....		270,000	
	Total Child Abuse and Neglect Prevention Board .....		270,000	270,000
23.	<b>CHIROPRACTIC EXAMINERS, ALABAMA STATE BOARD OF:</b>			
	(a) Professional and Occupational Licensing and Regulation Program .....			88,730
	The appropriation to the State Board of Chiropractic Examiners shall include a transfer to the State Personnel Department of \$81.			
	<b>SOURCE OF FUNDS:</b>			
	(1) Alabama State Board of Chiropractic Examiner's Fund .....		88,730	
	As provided in Section 34-24-143, <u>Code of Alabama 1975</u> .			
	Total Alabama State Board of Chiropractic Examines .....		88,730	88,730
24.	<b>CONSERVATION AND NATURAL RESOURCES, DEPARTMENT OF:</b>			
	(a) State Land Management Program .....			883,465
	(b) Outdoor Recreation Sites and Services Program .....			13,737,078

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
(c)	Marine Police Program .....			2,511,785
(d)	Game and Fish Program .....			14,314,275
	Of the funds hereinabove ap- propriated to the Game and Fish Program, \$100,000 shall be allocated to the Troy-Pike County Lake Authority to be conditioned on the approval of a local tax earmarked for said Authority.			
(e)	Marine Resources Program ....			2,002,040
(f)	Land and Water Conservation Program .....			1,200,000
(g)	Administrative Services Program .....			2,415,584
(h)	Dauphin Island Park and Beach Board .....			100,000
	To make repairs for damages caused by Hurricane Elena.			
(i)	Land Survey Program .....			342,387
	The appropriation to the De- partment of Conservation and Natural Resources shall in- clude Alabama's pro rata share of the Gulf States Marine Fisheries Commission opera- tion expenses. The appropria- tion to the Department of Conservation and Natural Re- sources includes funds for the maintenance, staff and repair of the Governor's official beach mansion. The appropriation to the Department of Conserva- tion and Natural Resources shall include a transfer to the State Personnel Department of \$77,227.			

SOURCE OF FUNDS:

(1)	State General Fund- Transfer .....	1,246,000	
(2)	State Lands Fund Trans- fer to Game and Fish Fund .....		1,346,000

The funds hereinabove  
appropriated from the



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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
State Lands Fund to the Game and Fish Fund is the estimated unexpended and/or unobligated remainder of the \$3,000,000 contemplated by Acts No. 85-651 and 85-889 that was not transferred in FY 1985-86.			
(3) Game and Fish Fund .....		12,968,275	
(4) State Lands Fund .....		883,465	
The funds hereinabove appropriated from the State Lands Fund includes funds for analyzing, cataloging and monitoring mineral reserves and the development thereof on State lands including water and offshore areas.			
(5) Marine Resources Fund ...		2,002,040	
In addition to the monies hereinabove appropriated from the Marine Resources Fund, all monies derived from contracts, grants or other agreements concerning or relating to marine biological research performed or accomplished at the Marine Resources Division Laboratory at Dauphin Island is hereby appropriated and may be expended by the Commissioner of Conservation on such Marine Resources Division programs or projects which he deems appropriate.			
(6) Marine Police Fund .....		2,511,785	
(7) State Parks Fund .....		300,000	
(8) Parks Revolving Fund .....		11,691,078	
(9) Administrative Funds .....		2,415,584	
The funds hereinabove appropriated shall be payable as provided in Section			

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
<u>9-2-1 et seq., Code of Ala- bama 1975.</u>			
(10) Cigarette Tax .....		600,000	
(11) Land Survey Fund .....		342,387	
(12) Federal Land and Water Fund .....		1,200,000	
Total Department of Conserva- tion and Natural Resources	1,246,000	36,260,614	37,506,614

In addition to the funds hereinabove appropriated to the Outdoor Recreation Sites and Services Program, \$350,000 shall be allocated to the Frank Jackson State Park for construction to be conditioned on the availability of funds in the State General Fund and upon the approval of the Governor.

25. CONTRACTORS, STATE  
LICENSING BOARD FOR  
GENERAL:

- (a) Professional and Occupational  
Licensing and Regulation  
Program ..... 343,361

The appropriation to the State Licensing Board for General Contractors shall include a transfer to the State Personnel Department of \$283.

SOURCE OF FUNDS:

- (1) State Licensing Board for  
General Contractors  
Fund. .... 343,361

Pursuant to Section 34-8-25, Code of Alabama 1975. In addition to the amounts appropriated hereinabove to the State Licensing Board for General Contractors, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
which may have been re- jected by the Board or ap- plication withdrawn by request of applicant.			
Total State Licensing Board for General Contractors .....		343,361	343,361

**26. CORRECTIONS,  
DEPARTMENT OF:**

- |   |            |
|---|------------|
| (a) Administrative Services and<br>Logistical Support Program ... | 8,272,331  |
| (b) Institutional Services Correc-<br>tions Program .....         | 92,963,909 |

Of the above appropriation, at least \$100,000 shall be expended at the Limestone Correctional Facility to update or improve the telephone system; to purchase spare parts for, to maintain, or improve the microwave security system; to update or improve security equipment, or to otherwise improve security at the facility.

- |  |            |
|--|------------|
| (c) Correctional Industries<br>Program ..... | 13,248,519 |
|--|------------|

The appropriation to the Department of Corrections shall include a transfer to the State Personnel Department of \$204,590.

**SOURCE OF FUNDS:**

- |   |             |
|---|-------------|
| (1) State General Fund-<br>Transfer .....     | 101,543,300 |
| (2) Department of Correc-<br>tions Fund ..... | 12,941,459  |

The Commissioner of the Department of Corrections is authorized to utilize funds herein appropriated as matching contributions, where required and appropriate, to generate additional funds which would effectively increase the appropriations for the

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
Department of Corrections. Any such grant funds so generated and in direct support of the Department of Corrections' operations are also hereby appropriated.			
Total Department of Corrections .....	101,543,300	12,941,459	114,484,759
27. COSMETOLOGY, ALABAMA BOARD OF:			
(a) Professional and Occupational Licensing and Regulation Program .....			467,600
The appropriation to the Board of Cosmetology shall include a transfer to the State Personnel Department of \$728.			
SOURCE OF FUNDS:			
(1) Alabama Board of Cosmetology Fund .....		467,600	
As provided in Section 34-7-42, <u>Code of Alabama 1975</u> .			
Total Alabama Board of Cosmetology .....		467,600	467,600
28. COUNSELING, ALABAMA BOARD OF EXAMINERS IN:			
(a) Professional and Occupational Licensing and Regulation Program .....			42,000
SOURCE OF FUNDS:			
(1) Alabama Board of Examiners in Counseling Fund:		42,000	
As provided in Section 34-8A-6, <u>Code of Alabama 1975</u> .			
Total Alabama Board of Examiners in Counseling .....		42,000	42,000

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
29.	CREDIT UNION ADMINISTRATION, ALABAMA:			
(a)	Charter, License and Regulate Financial Institutions Program .....			285,803
	The appropriation to the Ala- bama Credit Union Adminis- tration shall include a transfer to the State Personnel Depart- ment of \$364.			
	SOURCE OF FUNDS:			
(1)	Alabama Credit Union Administration Fund .....		285,803	
	As provided in Section 5-17-7, <u>Code of Alabama 1975</u> , as amended.			
	Total Alabama Credit Union Administration .....		285,803	285,803
30.	CRIME VICTIMS COMPENSATION COMMISSION, ALABAMA:			
(a)	Special Services Program, Estimated .....			361,061
	The appropriation to the Ala- bama Crime Victims Compens- ation Commission shall include a transfer to the State Personnel Department of \$162.			
	SOURCE OF FUNDS:			
(1)	Alabama Crime Victims Compensation Commis- sion Fund, Estimated .....		361,061	
	To be expended in accord- ance with Sections 15-23- 1 et seq., <u>Code of Alabama</u> <u>1975</u> , as amended.			
	Total Alabama Crime Victims Compensation Commission ....		361,061	361,061
31.	CRIMINAL JUSTICE INFORMATION CENTER, ALABAMA:			
(a)	Criminal Justice Information Services Program .....			3,042,314
	The appropriation to the Ala- bama Criminal Justice Infor- mation Center shall include a			

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Fund	
transfer to the State Personnel Department of \$3,801.			
SOURCE OF FUNDS:			
(1) State General Fund- Transfer .....	2,436,431		
(2) Federal, Local and Miscel- laneous Funds .....		605,883	
Total Alabama Criminal Jus- tice Information Center .....	2,436,431	605,883	3,042,314
32. DEVELOPMENT OFFICE, ALABAMA:			
(a) Promotional Development Program-Alabama Film Commission .....			210,027
(b) Administrative Services Pro- gram-Office of Minority Business .....			95,500
(c) Industrial Development Pro- gram-Alabama Development Office .....			2,522,568
(d) Special Development Pro- gram-Alabama Development Office .....			110,000
To be distributed as follows:			
\$35,000 to the Tri-Rivers Waterway Development Asso- ciation; \$25,000 for Rural Cul- tural Support; and \$50,000 for the Northeast Alabama Devel- opment Authority.			
The appropriation to the Ala- bama Development Office shall include a transfer to the State Personnel Department of \$2,628.			
SOURCE OF FUNDS:			
(1) State General Fund- Transfer-Alabama Devel- opment Office .....	2,472,568		
(2) State General Fund- Transfer-Office of Minor- ity Business .....	95,500		
(3) State General Fund- Transfer-Alabama Film Commission .....	210,027		

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Fund	
(4) State General Fund- Transfer-Special Devel- opment Program .....	110,000		
(5) Federal, Local and Miscel- laneous Funds .....		50,000	
<b>Total Alabama Development Office .....</b>	<b>2,888,095</b>	<b>50,000</b>	<b>2,938,095</b>

**33. DISTRICT ATTORNEYS:**

(a) Court Operations Program ..... 10,564,558

The proposed spending plan  
included in the above total is  
as follows:

Salaries of District  
Attorneys ..... 2,118,337

Salary of elected Deputy Dis-  
trict Attorney of the Bessemer  
Division of the 10th Judicial  
Circuit ..... 52,695

For the use of the elected As-  
sistant District Attorney of the  
Bessemer Division of the 10th  
Judicial Circuit ..... 123,589

Salaries and expenses of Su-  
pernumerary District  
Attorneys ..... 852,166

For use in the District Attor-  
ney's Office of the 1st Judicial  
Circuit ..... 109,166

For use in the District Attor-  
ney's Office of the 2nd Judicial  
Circuit ..... 100,948

For use in the District Attor-  
ney's Office of the 3rd Judicial  
Circuit ..... 161,860

For use in the District Attor-  
ney's Office of the 4th Judicial  
Circuit ..... 379,092

For use in the District Attor-  
ney's Office of the 5th Judicial  
Circuit ..... 342,580

For use in the District Attor-  
ney's Office of the 6th Judicial  
Circuit ..... 269,629

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Fund Sources Included In Appropriation Total			Appropriation <u>Total</u>
General Fund	Trust Fund		
For use in the District Attorney's Office of the 7th Judicial Circuit .....210,219			
For use in the District Attorney's Office of the 8th Judicial Circuit .....164,378			
For use in the District Attorney's Office of the 9th Judicial Circuit .....146,439			
For use in the District Attorney's Office of the 10th Judicial Circuit .....413,004			
For use in the District Attorney's Office of the 11th Judicial Circuit .....117,371			
For use in the District Attorney's Office of the 12th Judicial Circuit .....252,018			
For use in the District Attorney's Office of the 13th Judicial Circuit .....389,534			
For use in the District Attorney's Office of the 14th Judicial Circuit .....121,670			
For use in the District Attorney's Office of the 15th Judicial Circuit .....384,578			
For use in the District Attorney's Office of the 16th Judicial Circuit .....184,894			
For use in the District Attorney's Office of the 17th Judicial Circuit .....81,189			
For use in the District Attorney's Office of the 18th Judicial Circuit .....203,065			
For use in the District Attorney's Office of the 19th Judicial Circuit .....154,585			
For use in the District Attorney's Office of the 20th Judicial Circuit .....184,912			
For use in the District Attorney's Office of the 21st Judicial Circuit .....140,112			



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Fund Sources Included In Appropriation Total			
	General Fund	Trust Fund	Appropriation <u>Total</u>
For use in the District Attorney's Office of the 22nd Judicial Circuit .....			121,837
For use in the District Attorney's Office of the 23rd Judicial Circuit .....			308,478
For use in the District Attorney's Office of the 24th Judicial Circuit .....			114,972
For use in the District Attorney's Office of the 25th Judicial Circuit .....			110,558
For use in the District Attorney's Office of the 26th Judicial Circuit .....			188,018
For use in the District Attorney's Office of the 27th Judicial Circuit .....			153,927
For use in the District Attorney's Office of the 28th Judicial Circuit .....			190,447
For use in the District Attorney's Office of the 29th Judicial Circuit .....			210,514
For use in the District Attorney's Office of the 30th Judicial Circuit .....			190,292
For use in the District Attorney's Office of the 31st Judicial Circuit .....			113,428
For use in the District Attorney's Office of the 32nd Judicial Circuit .....			147,362
For use in the District Attorney's Office of the 33rd Judicial Circuit .....			145,798
For use in the District Attorney's Office of the 34th Judicial Circuit .....			100,161
For use in the District Attorney's Office of the 35th Judicial Circuit .....			95,406
For use in the District Attorney's Office of the 36th Judicial Circuit .....			96,503

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Fund Sources Included  
In Appropriation Total

	General Fund	Trust Fund	Appropriation <u>Total</u>
For use in the District Attorney's Office of the 37th Judicial Circuit .....			148,858
For use in the District Attorney's Office of the 38th Judicial Circuit .....			137,028
For use in the District Attorney's Office of the 39th Judicial Circuit .....			100,959
Appropriations of Salaries of Personnel Established by Statute are estimated.			
Travel Expense of District Attorneys .....			71,625
Investigators Subsistence-Act 85-754 .....			160,357

Of the appropriation hereinabove made to the Court Operation Program of the District Attorneys, funds transferred to the Office of Prosecution Services under Section 12-17-233, Code of Alabama, 1975 shall be used to prepare the several district attorneys offices to implement the Uniform Accounting System of the State of Alabama as prepared by the Division of Control and Accounts of the Department of Finance to account for all funds received or expended by said offices.

SOURCE OF FUNDS:

(1) State General Fund .....	10,564,558	
Total District Attorneys .....	10,564,558	10,564,558

34. ECONOMIC AND  
COMMUNITY AFFAIRS,  
ALABAMA DEPARTMENT OF:

(a) Administrative Support Services Program .....	4,849,132
(b) Planning Program .....	36,078,552

Of the above appropriation to the Planning Program, \$25,000

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
shall be allocated to the Ala- bama Tombigbee Regional Planning Commission.			
(c) Special Services Program .....			19,935,408
(d) Skills Enhancement and Em- ployment Opportunities Program .....			69,047,133
(e) Energy Management Program .....			8,011,347
(f) Traffic Control and Accident Prevention Program .....			3,038,224
(g) Law Enforcement Planning and Development Program ....			2,005,541
Of the above appropriation to the Law Enforcement Plan- ning and Development Pro- gram, \$40,000 shall be allocated to the Marshall County Atten- tion Home.			
(h) Surplus Property Program .....			1,095,500
(i) Regional Planning Commis- sion Program .....			286,500
The appropriation to the Ala- bama Department of Eco- nomic and Community Affairs shall include a transfer to the State Personnel Department of \$27,535.			
<b>SOURCE OF FUNDS:</b>			
(1) State General Fund - Transfer .....	5,428,941		
(2) Federal, Local and Miscel- laneous Funds .....		133,531,375	
(3) Administrative Transfers		4,387,021	
(4) Administrative Transfers from Federal Surplus Property .....		500,000	
(5) Administrative Transfers from Sale of State Owned Surplus Property Sales .....		500,000	
Total Alabama Department of Economic and Community Affairs .....	5,428,941	138,918,396	144,347,337

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
35.	<b>ELECTRICAL CONTRACTORS, BOARD OF:</b>			
(a)	Professional and Occupational Licensing and Regulation Program .....			94,755
	<b>SOURCE OF FUNDS:</b>			
(1)	Electrical Contractors Board Fees .....		94,755	
	As provided by Act No. 85-921, 1985 Second Special Session.			
	<b>Total Board of Electrical Contractors .....</b>		94,755	94,755
36.	<b>ELK RIVER DEVELOPMENT AGENCY:</b>			
(a)	Water Resource Development Program .....			647,989
	<b>SOURCE OF FUNDS:</b>			
(1)	State General Fund .....	4,489		
(2)	Federal, Local and Miscel- laneous Funds .....		643,500	
	<b>Total Elk River Development Agency .....</b>	4,489	643,500	647,989
37.	<b>EMERGENCY MANAGEMENT AGENCY:</b>			
(a)	Readiness and Recovery Program .....			4,043,496
	The appropriation to the Emergency Management Agency shall include a transfer to the State Personnel Depart- ment of \$2,952.			
	<b>SOURCE OF FUNDS:</b>			
(1)	State General Fund - Transfer .....	841,546		
(2)	Federal, Local and Miscel- laneous Funds .....		3,201,950	
	<b>Total Emergency Manage- ment Agency .....</b>	841,546	3,201,950	4,043,496

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
38.	ENGINEERS AND LAND SURVEYORS, STATE BOARD OF REGISTRATION FOR PROFESSIONAL:			
(a)	Professional and Occupational Licensing and Regulation Program .....			350,000
	The appropriation to the State Board of Registration for Professional Engineers and Land Surveyors shall include a transfer to the State Personnel Department of \$283.			
	SOURCE OF FUNDS:			
(1)	Professional Engineers' Fund .....		350,000	
	As provided in Section 34- 11-36, <u>Code of Alabama</u> 1975.			
	Total State Board of Registra- tion for Professional Engineers and Land Surveyors .....		350,000	350,000
39.	ENVIRONMENTAL MANAGEMENT, DEPARTMENT OF:			
(a)	Environmental Management Program .....			10,162,258
(b)	Continuing Research Programs .....			100,000
	The appropriation to the De- partment of Environmental Management shall include a transfer to the State Personnel Department of \$19,044.			
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer .....	2,535,250		
(2)	Environmental Manage- ment Fees and Fines .....		1,555,356	
	As provided in Section 22- 22A-11, <u>Code of Alabama</u> 1975 (1983 Cum. Supp.).			

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(3) Federal, Local and Miscellaneous Funds .....			6,171,652	
Total Department of Environmental Management .....		2,535,250	7,727,008	10,262,258
40. ETHICS COMMISSION, ALABAMA:				
(a) Regulation of Public Officials and Employees Program .....				273,035
The appropriation to the Ethics Commission shall include a transfer to the State Personnel Department of \$485.				
SOURCE OF FUNDS:				
(1) State General Fund .....		273,035		
Total Alabama Ethics Commission .....		273,035		273,035
41. FARMERS' MARKET AUTHORITY:				
(a) Agricultural Development Services Program .....				122,540
The appropriation to the Farmers' Market Authority shall include a transfer to the State Personnel Department of \$202.				
SOURCE OF FUNDS:				
(1) State General Fund - Transfer for Administration .....		77,069		
(2) Farmers' Market Authority Fund - Revenue and Capital Outlay Account ....			45,471	
Total Farmers' Market Authority .....		77,069	45,471	122,540
42. FINANCE, DEPARTMENT OF:				
(a) Fiscal Management Program .....				3,081,103
(b) Administrative Support Services Program .....				4,538,888
The appropriation to the Department of Finance shall include a transfer to the State				

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
Personnel Department of \$35,581.				
SOURCE OF FUNDS:				
(1) State General Fund .....	7,569,991			
(2) Miscellaneous Funds .....			50,000	
Total Department of Finance	7,569,991	50,000		7,619,991
43. FINANCE, DEPARTMENT OF- STATE INSURANCE FUND:				
(a) Administrative Support Ser- vices Program .....				764,154
SOURCE OF FUNDS:				
(1) State Insurance Fund- Administrative .....			764,154	
As provided in Sections 41- 15-1 et seq., <u>Code of Ala- bama 1975.</u>				
Total Department of Finance- State Insurance Fund .....			764,154	764,154
44. FOREIGN TRADE RELATIONS COMMISSION:				
(a) Special Services Program .....				80,220
The appropriation to the For- eign Trade Relations Commis- sion shall include a transfer to the State Personnel Depart- ment of \$121.				
SOURCE OF FUNDS:				
(1) State General Fund .....	80,220			
Total Foreign Trade Relations Commission .....	80,220			80,220
45. FORENSIC SCIENCES, DEPARTMENT OF:				
(a) Forensic Science Services Program .....				5,246,770
The appropriation to the De- partment of Forensic Sciences shall include a transfer to the State Personnel Department of \$9,017.				

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Fund	
SOURCE OF FUNDS:			
(1) State General Fund .....	5,011,905		
(2) Federal, Local and Miscellaneous Funds .....		234,865	
Total Department of Forensic Sciences .....	5,011,905	234,865	5,246,770
In addition to the above appropriation to the Department of Forensic Sciences there is hereby appropriated \$930,000 conditioned on the availability of funds and the approval of the Governor.			
46. FORESTERS, ALABAMA STATE BOARD OF REGISTRATION FOR:			
(a) Professional and Occupational Licensing and Regulation Program .....			21,900
SOURCE OF FUNDS:			
(1) Professional Foresters' Fund .....		21,900	
As provided in Section 34- 12-36, <u>Code of Alabama</u> 1975.			
Total Alabama State Board of Registration for Foresters .....		21,900	21,900
47. FORESTRY COMMISSION, ALABAMA:			
(a) Forest Resources Protection Program .....			13,860,366
(b) Forest Resources Development Program .....			3,238,943
(c) Administrative Services Program .....			2,303,691
The appropriation to the Alabama Forestry Commission shall include a transfer to the State Personnel Department of \$29,435.			
SOURCE OF FUNDS:			
(1) State General Fund - Transfer .....	11,327,500		
(2) Federal and Local Funds		2,391,000	



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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
(3) Forestry Commission				
Fund .....			5,684,500	
Of the above appropriation, at least \$850,000 shall be used for rural and community fire protection.				
Total Alabama Forestry Commission .....		11,327,500	8,075,500	19,403,000
48. FUNERAL SERVICE, ALABAMA BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program .....				110,000
The appropriation to the Board of Funeral Service shall include a transfer to the State Personnel Department of \$121.				
SOURCE OF FUNDS:				
(1) Alabama Funeral Directors and Embalmers Fund .....			110,000	
As provided in Section 34-13-23, Code of Alabama 1975, as amended.				
Total Alabama Board of Funeral Service .....			110,000	110,000
49. GEOLOGICAL SURVEY:				
(a) Discovery and Development of Mineral, Energy and Water Resources, Geologic Research and Topographic Mapping Program .....				2,190,870
The appropriation to the Geological Survey shall include a transfer to the State Personnel Department of \$5,216.				
SOURCE OF FUNDS:				
(1) State General Fund .....		1,634,738		
(2) Federal, Local and Miscellaneous Funds .....			556,132	
Total Geological Survey .....		1,634,738	556,132	2,190,870

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
50.	GORGAS MEMORIAL BOARD:			
(a)	Historical Resources Manage- ment Program .....			13,809
	SOURCE OF FUNDS:			
(1)	State General Fund .....	8,309		
	As provided in Section 41- 9-220, Code of Alabama 1975 and an additional amount.			
(2)	Federal, Local and Miscel- laneous Funds .....		5,500	
	Total Gorgas Memorial Board .....	8,309	5,500	13,809
51.	GOVERNOR'S CONTINGENCY FUND:			
(a)	Executive Direction Program .....			382,000
	SOURCE OF FUNDS:			
(1)	State General Fund .....	382,000		
	Total Governor's Contingency Fund .....	382,000		382,000
52.	GOVERNOR'S MANSION ADVISORY BOARD:			
(a)	Historical Resources Manage- ment Program .....			9,550
	SOURCE OF FUNDS:			
(1)	State General Fund- Transfer .....	9,550		
	Total Governor's Mansion Ad- visory Board .....	9,550		9,550
53.	GOVERNOR'S MANSION:			
(a)	Executive Direction Program .....			191,000
	SOURCE OF FUNDS:			
(1)	State General Fund .....	191,000		
	Total Governor's Mansion .....	191,000		191,000
54.	GOVERNOR'S OFFICE:			
(a)	Executive Direction Program .....			1,461,150
	The appropriation to the Gov- ernor's Office shall include a			

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Fund Sources Included In Appropriation Total			
General Fund	Trust Fund	Appropriation <u>Total</u>	
transfer to the State Personnel Department of \$1,536.			
SOURCE OF FUNDS:			
(1) State General Fund .....	1,461,150		
Total Governor's Office .....	1,461,150	1,461,150	
55. GOVERNOR'S OFFICE-LEGAL:			
(a) Executive Direction Program .....		97,410	
SOURCE OF FUNDS:			
(1) State General Fund .....	97,410		
Total Governor's Office-Legal .....	97,410	97,410	
56. GOVERNOR'S VOLUNTARY CITIZENS' PARTICIPATION:			
(a) Executive Direction Program .....		100,000	
SOURCE OF FUNDS:			
(1) Federal Funds .....		50,000	
(2) Transfer from Governor's Office .....		50,000	
Total Governor's Voluntary Citizens' Participation .....		100,000	100,000
57. HEALTH, DEPARTMENT OF PUBLIC:			
(a) Personal Health Improvement Program .....		55,405,500	
(b) Health Support Services Program .....		55,082,394	
Of this amount \$6,768,248 shall go to support local health de- partment services of which \$3,685,000 shall be used to pro- vide a minimum staff in each of the sixty-seven counties, and the remaining amount shall be distributed on a one-to-one match with locally appropri- ated funds for the support of local health services on a per capita basis. At the end of the first quarter, any unmatched funds may be distributed to other counties with appropri- ate matching funds.			

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(c)	Administrative Services Program .....			6,473,526
	The appropriation to the Department of Public Health shall include a transfer to the State Personnel Department of \$156,111.			
	SOURCE OF FUNDS:			
	(1) State General Fund .....	15,566,500		
	(2) Cigarette Tax-\$0.01 and \$0.02 .....		2,860,709	
	As provided in Section 40-25-2 and Section 40-25-23, <u>Code of Alabama 1975</u> , as amended.			
	(3) Vital Statistics Fund .....		1,800,969	
	(4) Hospital Licensing Fund .....		355,000	
	(5) Emergency Medical Services Fund .....		90,000	
	As provided in Section 22-18-4, <u>Code of Alabama 1975</u> .			
	(6) Local Health Department .....		37,451,081	
	(7) Nuclear Monitoring Fund .....		120,000	
	(8) Radiation Safety Fund .....		172,000	
	(9) Miscellaneous Funds .....		4,075,014	
	(10) Federal Funds .....		54,470,147	
	Total Department of Public Health .....	15,566,500	101,394,920	116,961,420

58. HEALTH PLANNING  
AGENCY, STATE:

(a)	Health Planning, Development and Regulation Program .....	1,807,584
	The appropriation to the State Health Planning Agency shall include a transfer to the State Personnel Department of \$1,658.	

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) State General Fund- Transfer .....	302,584			
(2) Certificate of Need Fees ...			200,000	
(3) Federal, Local and Miscel- laneous Funds .....			1,305,000	
Total State Health Planning Agency .....	302,584	1,505,000		1,807,584
59. HEARING AID DEALERS, ALABAMA BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program .....				25,000
SOURCE OF FUNDS:				
(1) State Board of Health- Hearing Aid Fund .....			25,000	
As provided in Section 34- 14-33, <u>Code of Alabama</u> <u>1975.</u>				
Total Alabama Board of Hear- ing Aid Dealers .....			25,000	25,000
60. HEATING AND AIR CONDITIONING CONTRACTORS, BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program .....				107,596
The appropriation to the Board of Heating and Air Condition- ing Contractors shall include a transfer to the State personnel Department of \$162.				
SOURCE OF FUNDS:				
(1) Heating and Air Condi- tioning Contractors Fund .....			107,596	
Total Board of Heating and Air Conditioning Contractors .....			107,596	107,596
61. HERITAGE TRUST FUND, ALABAMA:				
(a) Fiscal Management Program				20,000

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1)	Heritage Trust Income Fund .....		20,000	
	Total Alabama Heritage Trust Fund .....		20,000	20,000
62. HIGHWAY DEPARTMENT:				
(a)	Central Administration Program .....			10,748,512
(b)	Division and District Supervi- sion Program .....			19,931,240
(c)	Operations and Support Serv- ices Program .....			8,514,035
(d)	Maintenance Program .....			85,971,822
(e)	Non-Programmatic Expenditures .....			90,934,239
	Proposed Spending Plan for the above (e) includes the fol- lowing:			
	Debt Service .....	89,353,787		
	Equipment-Other than Automotive .....	1,580,452		
(f)	Construction-Federal Aid Program .....			342,170,638
	Proposed Spending Plan for the above (f) includes the fol- lowing:			
	Federal Aid Matching .....	50,509,928		
	Non-Participating Work on Federal Projects .....	1,000,000		
	Federal Aid .....	290,660,710		
(g)	Construction-State Program ..			15,000,000
(h)	Operations-Land and Buildings .....			1,745,700
	The appropriation to the Highway Department shall in- clude a transfer to the State Personnel Department of \$345,094.			

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Fund Sources Included  
In Appropriation Total

General Fund	Trust Fund	Appropriation <u>Total</u>
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SOURCE OF FUNDS:

(1) State General Fund- Transfer .....	86,189	
(2) Public Road and Bridge Fund .....		284,269,287
(3) Federal Aid .....		290,660,710

There is hereby appropriated, for payment of the principal of and the interest on all bonds heretofore or hereafter issued for public highways and bridge purposes, or either, by the State of Alabama, Alabama Highway Authority, Alabama Federal Aid Highway Finance Authority, or Alabama Industrial Access Road and Bridge Corporation, a total of \$89,353,787 or so much as may be necessary for payment of said principal and interest at their respective maturities, of the revenues pledged for such payment. The Highway Director with the consent of the Governor and the Finance Director shall have the authority to transfer any appropriation or any portion thereof between and among Subsections (a), (b), (c), (d), (e), (f), (g), (h) of this Section whenever such transfer shall be necessary to assure maximum utilization of Federal Matching Funds which shall become available. In the event that there shall not be sufficient funds available for payment of all appropriations hereinabove made, the following provisions shall be applicable. In the event of such insufficiency in respect of the said

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Fund	
revenues accruing to the State Highway Depart- ment:			
(1) the appropriations made for Debt Service in Subsection (e) hereof shall be paid in full,			
(2) the appropriations from the revenues accruing to the State Highway Department that are herein made for the purposes referred to in Subsections (a), (b), (c), (d), (e), (f), (g), (h), except for Debt Service, hereof shall be allocated among the purposes referred to in said Subsections in such order and with such priorities as the State Highway Director shall from time to time direct. The funds appropriated in Subsection (f) hereof, for the matching Fed- eral Funds, shall not revert at the end of the fiscal year for which such appropriations are made, but shall remain avail- able for the purpose for which such appropriation was made. In addition to all appropria- tions hereinabove made there is hereby appropriated to the State Highway Department all Federal Funds accruing thereto to be expended only for the purpose for which such funds are made available.			
Total Highway Department ...	86,189	574,929,997	575,016,186

In addition to the above appro-  
priation to the Highway De-  
partment, there is hereby  
conditionally appropriated the  
sum of \$575,000 from any  
sources available to the High-  
way Department as the state  
match for additional federal  
mass transit funds, to purchase  
capital equipment (rolling  
stock) for the state mass trans-  
portation program, which is  
currently administered by the



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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
State Highway Department. Said appropriation shall be conditioned on the availability of funds from any sources of the Highway Department and upon approval of the Gover- nor.				
63.	HISTORIC BLAKELEY AUTHORITY:			
(a)	Tourism and Travel Promo- tion Program .....			130,411
SOURCE OF FUNDS:				
(1)	State General Fund .....	124,150		
(2)	Federal, Local and Miscel- laneous Funds .....		6,261	
Total Historic Blakeley Au- thority .....		124,150	6,261	130,411
64.	HISTORIC CHATTAHOOCHEE COMMISSION:			
(a)	Historical Resources Manage- ment Program .....			167,650
SOURCE OF FUNDS:				
(1)	State General Fund .....	97,650		
(2)	Federal, Local and Miscel- laneous Funds .....		70,000	
Total Historic Chattahoochee Commission .....		97,650	70,000	167,650
65.	HISTORICAL COMMISSION, ALABAMA:			
(a)	Historical Resources Manage- ment Program .....			1,266,048
(b)	Historical Resources Manage- ment Program-Capital Out- lay .....			225,000
The appropriation to the Ala- bama Historical Commission shall include a transfer to the State Personnel Department of \$4,043.				

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	

SOURCE OF FUNDS:

(1) State General Fund -

Transfer .....	727,955	
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The State General Fund appropriation shall be distributed as follows:

Historical Commission,  
Alabama ..... 484,858

Historical Commission,  
Alabama-La  
Grange ..... 7,774

Historical Commission,  
Alabama-Richmond P.  
Hobson Memorial  
Board ..... 5,724

Historical Commission,  
Alabama-Fort  
Morgan ..... 110,345

Historical Commission,  
Alabama-Fort  
Toulouse ..... 20,294

Historical Commission,  
Alabama-John T. Morgan  
House, Selma ..... 11,460

Historical Commission,  
Alabama-Cahaba  
Project ..... 25,000

Iron Foundry Preserva-  
tion Project ..... 37,500

Northeast Alabama His-  
torical Program ..... 25,000

(2) State General Fund -

Transfer-Capital Outlay ..	225,000	
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The State General Fund Transfer for Capital Outlay shall be distributed as follows:

Bellemont ..... 94,000

Cahaba ..... 25,000

Fort Morgan ..... 25,000

John T. Morgan  
House ..... 50,000

Magnolia Grove .... 25,000

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
	Kennedy House- Abbeville .....			6,000
(3)	Federal, Local and Miscel- laneous Funds .....		538,093	
	Total Alabama Historical Commission .....	952,955	538,093	1,491,048
66.	INDIAN AFFAIRS COMMISSION, ALABAMA:			
(a)	Social Services Program .....			128,925
	The above appropriation is to be expended in accordance with Sections 41-9-708 et seq., Code of Alabama 1975, as amended. The appropriation to the Ala- bama Indian Affairs Commis- sion shall include a Transfer to the State Personnel Depart- ment of \$122.			
	SOURCE OF FUNDS:			
(1)	State General Fund .....	128,925		
	Total Alabama Indian Affairs Commission .....	128,925		128,925
66A.	INDUSTRIAL DEVELOPMENT AUTHORITY, ALABAMA:			
(a)	Industrial Development Program .....			95,000
	SOURCE OF FUNDS:			
(1)	State Industrial Develop- ment Authority Applica- tion Fees Fund .....		95,000	
	Total Alabama Industrial De- velopment Authority .....		95,000	95,000
	(As provided by Article 2, Chapter 10, Title 41, Code of Alabama 1975 and Executive Order No. 47 Signed on De- cember 31, 1985.)			
67.	INDUSTRIAL RELATIONS, DEPARTMENT OF:			
(a)	Unemployment Compensation Program .....			16,819,918
(b)	Skills Enhancement and Em- ployment Opportunities Program .....			20,908,072

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(c)	Industrial Safety and Accident Prevention Program .....			4,606,390
(d)	Administrative Services Program .....			9,011,863
(e)	Workmen's Compensation Program .....			597,535
The appropriation to the Department of Industrial Relations shall include a transfer to the State Personnel Department of \$146,973.				
SOURCE OF FUNDS:				
	(1) State General Fund .....	1,208,733		
	(2) Federal, Local and Miscellaneous Funds .....		50,735,045	
Total Department of Industrial Relations .....		1,208,733	50,735,045	51,943,778
68.	INSURANCE, DEPARTMENT OF:			
(a)	Regulatory Services Program .....			1,500,855
The appropriation to the Department of Insurance shall include a transfer to the State Personnel Department of \$5,054.				
SOURCE OF FUNDS:				
	(1) State General Fund .....	1,368,515		
	(2) Fire Marshal's Fund .....		132,340	
As provided in Section 24-5-10, <u>Code of Alabama 1975</u> , as amended.				
Any balance in excess of \$50,000 at the end of the fiscal year shall be transferred to the State General Fund.				
Total Department of Insurance .....		1,368,515	132,340	1,500,855
69.	INSURANCE BOARD, STATE EMPLOYEES':			
(a)	Administrative Support Services Program .....			106,600
The appropriation to the State Employees' Insurance Board				

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Fund Sources Included In Appropriation Total			
General Fund	Trust Fund	Appropriation <u>Total</u>	
shall include a transfer to the State Personnel Department of \$81.			
SOURCE OF FUNDS:			
(1) State Employees' Insur- ance Board Expense Fund .....	106,600		
Total State Employees' Insur- ance Board .....	106,600	106,600	
70. INTERIOR DESIGNERS, ALABAMA STATE BOARD OF REGISTRATION FOR:			
(a) Professional and Occupational Licensing and Regulation Program .....		5,700	
SOURCE OF FUNDS:			
(1) Interior Designers Fund ... As provided in Section 34- 15a-7, Code of Alabama 1975, (1983 Cum. Supp.).	5,700		
Total State Board of Registra- tion for Interior Designers .....	5,700	5,700	
71. INTERNATIONAL TRADE, OFFICE OF:			
(a) Special Projects Program .....		238,750	
To be expended in accordance with Executive Order Number 31, dated September 30, 1984. The appropriation to the Of- fice of International Trade shall include a transfer to the State Personnel Department of \$243.			
SOURCE OF FUNDS:			
(1) State General Fund - Transfer .....	238,750		
Total Office of International Trade .....	238,750	238,750	
72. LABOR, DEPARTMENT OF:			
(a) Regulatory Services Program		366,347	
The appropriation to the De- partment of Labor shall in- clude a transfer to the State Personnel Department of \$728.			

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
	(1) State General Fund .....	317,347		
	(2) Federal, Local and Miscellaneous Funds .....		49,000	
	Total Department of Labor ....	317,347	49,000	366,347
73.	LANDSCAPE ARCHITECTS, BOARD OF EXAMINERS FOR:			
	(a) Professional and Occupational Licensing and Regulation Program .....			12,549
SOURCE OF FUNDS:				
	(1) Landscape Architects Fund .....		12,549	
	As provided in Section 34- 17-6, <u>Code of Alabama</u> <u>1975</u> .			
	Total Board of Examiners for Landscape Architects .....		12,549	12,549
74.	LIQUEFIED PETROLEUM GAS BOARD:			
	(a) Regulatory Services Program			259,250
	The appropriation to the Liquefied Petroleum Gas Board shall include a transfer to the State Personnel Department of \$526.			
SOURCE OF FUNDS:				
	(1) Liquefied Petroleum Gas Board Fund .....		259,250	
	Total Liquefied Petroleum Gas Board .....		259,250	259,250
75.	MANUFACTURED HOUSING COMMISSION, ALABAMA:			
	(a) Regulatory Services Program			254,000
SOURCE OF FUNDS:				
	(1) State General Fund .....	100,000		
	(2) Alabama Manufactured Housing Commission Fund .....		154,000	

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
As provided in Section 24-5-13.1, <u>Code of Alabama 1975</u> , as amended.				
Total Alabama Manufactured Housing Commission .....		100,000	154,000	254,000
<hr/>				
76. MEDICAID AGENCY, ALABAMA:				
(a) Medical Assistance Through Medicaid Program .....				483,832,501
The appropriation to the Alabama Medicaid Agency shall include a transfer to the State Personnel Department of \$21,632.				
SOURCE OF FUNDS:				
(1) State General Fund - Transfer .....		105,872,373		
(2) Transfer from Pensions and Security .....			3,398,000	
(3) Transfer from Mental Health .....			20,139,900	
(4) Transfer from Commission on Aging .....			1,130,000	
(5) Federal, Local and Miscellaneous Funds .....			353,292,228	
		<hr/>		
Total Alabama Medicaid Agency .....		105,872,373	377,960,128	483,832,501
<hr/>				
77. MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF:				
(a) Institutional Treatment and Care-Mental Illness Program .....				79,396,803
(b) Institutional Treatment and Care-Mental Retardation Program .....				62,880,751
(c) Institutional Treatment and Care-Criminally Insane Program .....				4,815,415
(d) Administrative Services Program .....				4,615,466
(e) Non-Institutional Treatment and Care Program .....				21,402,583

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Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
General Fund	Trust Fund	
(f) Community Mental Health Services Program .....		26,904,054

It is the intent of the Legislature that this appropriation be used to fund Community Mental Health and Mental Retardation Programs and that none of said appropriation be shifted to any other program. The appropriation herein provided shall be for the provision of community mental illness and substance abuse programs and services operated by Mental Health/Mental Retardation Boards created pursuant to Section 22-51-1 et seq., Code of Alabama 1975, and certified by the Department of Mental Health and Mental Retardation. In the event that no such program is certified by the Department of Mental Health and Mental Retardation in a particular catchment area, funds under this appropriation may be expended through other certified community programs in said catchment area. Of the appropriation hereinabove made to the Department of Mental Health and Mental Retardation, there shall be at least \$6,290,000 expended for the treatment of rehabilitation and for education on alcohol and drug abuse.

The appropriation to the Department of Mental Health and Mental Retardation shall include a transfer to the State Personnel Department of \$381,605.

SOURCE OF FUNDS:

(1) Special Mental Health Trust Fund .....	84,716,038
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For operations and maintenance of the State Mental Health and Mental



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Fund Sources Included In Appropriation Total			
	General Fund	Trust Fund	Appropriation Total
Retardation Department and the Mental Health and Mental Retardation Com- munity Programs, includ- ing the purchase of drugs for medically indigent mental patients not hos- pitalized at time of receiv- ing drugs at the Alabama State Hospitals.			
(2) State General Fund- Transfer .....	41,183,000		
(3) Transfer from ABC Profits .....		1,000,000	
(4) Cigarette Tax .....		6,300,000	
(5) Federal, Local and Miscel- laneous Funds .....		66,816,034	
Total Department of Mental Health and Mental Retardation .....	41,183,000	158,832,072	200,015,072

In addition to the above appro-  
priation to the Department of  
Mental Health, there is hereby  
appropriated \$3.3 million from  
the Special Mental Health  
Trust Fund; \$5 million from  
the Special Educational Trust  
Fund; \$3.5 million from the  
Department of Pensions and  
Security; and \$4.8 million from  
the State General Fund to be  
conditioned on the availability  
of funds from each of the above  
funds and the approval of the  
Governor.

**78. MILITARY DEPARTMENT:**

- |                                 |           |
|---------------------------------|-----------|
| (a) Military Operations Program | 5,491,250 |
| (b) Capital Outlay .....        | 450,000   |

The appropriation to the Mil-  
itary Department shall include  
a transfer to the State Person-  
nel Department of \$13,302.

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
SOURCE OF FUNDS:			
(1) State General Fund- Operations .....	1,648,151		
(2) State General Fund-Quar- terly Allowances Headquarters .....	1,435,545		
Regular Allowance Units to be used solely for oper- ating expenses; provided, that no more than \$4,500 shall be allotted in any fis- cal year for the Alabama National Guard Head- quarters.			
(3) State General Fund - Transfer-Capital Outlay for Architect and Engi- neering Services and spec- ifications and construction of facilities .....	450,000		
(4) State General Fund - Ac- tive Military Service .....	100,000		
(5) State General Fund - Transfer to Armory Commission .....	2,296,094		
(6) State General Fund - Dropping Allowance .....	4,775		
(7) State General Fund - State Defense Force .....	6,685		
Total Military Department .....	5,941,250		5,941,250

79. MILITARY DEPARTMENT -  
ARMORY COMMISSION OF  
ALABAMA:

(a) Military Operations Program 4,042,189

SOURCE OF FUNDS:

(1) Transfer from Military Department .....	2,296,094
(2) Federal, Local and Miscel- laneous Funds .....	1,746,095

The funds hereinabove  
appropriated to the Ar-  
mory Commission shall be  
payable from the funds in  
the State Treasury to the

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Fund Sources Included In Appropriation Total			
General Fund	Trust Fund	Appropriation <u>Total</u>	
credit of the Armory Commission and the appropriation hereinabove made includes the appropriation made for the care, maintenance, and construction of facilities. Provided, however, that the last Federal Government service contract reimbursement shall not revert to the State General Fund. Any surplus remaining in the Armory Commission Fund at the end of the fiscal year in excess of \$50,000 shall be transferred to the State General Fund.			
Total Armory Commission of Alabama .....		4,042,189	4,042,189
80. MOTOR SPORTS HALL OF FAME:			
(a) Tourism and Travel Promotion .....			71,625
SOURCE OF FUNDS:			
(1) State General Fund .....		71,625	
Total Motor Sports Hall of Fame .....		71,625	71,625
81. MUSIC HALL OF FAME, ALABAMA:			
(a) Fine Arts Program .....			157,377
SOURCE OF FUNDS:			
(1) State General Fund .....		110,000	
(2) Federal, Local and Miscellaneous Funds .....		47,377	
Total Alabama Music Hall of Fame .....		110,000	47,377
82. NURSING HOME ADMINISTRATORS, BOARD OF EXAMINERS OF:			
(a) Professional and Occupational Licensing and Regulation Program .....			40,000
The appropriation to the Board of Examiners of Nursing Home			

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
Administrators shall include a transfer to the State Personnel Department of \$40.			
SOURCE OF FUNDS:			
(1) Board of Examiners of Nursing Home Administrators Fund .....		40,000	
As provided in Section 34-20-7, <u>Code of Alabama</u> 1975, as amended.			
Total Board of Examiners of Nursing Home Administrators .....		40,000	40,000
83. OIL AND GAS BOARD:			
(a) Management and Regulation of Oil and Gas Exploration and Development Program .....			2,127,432
The appropriation to the Oil and Gas Board shall include a transfer to the State Personnel Department of \$3,882.			
SOURCE OF FUNDS:			
(1) State General Fund .....	2,107,432		
(2) Federal, Local and Miscellaneous Funds .....		20,000	
Total Oil and Gas Board .....	2,107,432	20,000	2,127,432
In addition to the appropriations hereinabove made, there is hereby appropriated \$40,000 to the Oil and Gas Board from the Oil and Gas Board Special Fund to be conditioned upon the passage of legislation creating this special fund.			
84. PARDONS AND PAROLES, BOARD OF:			
(a) Administration of Pardons and Paroles Program .....			8,607,889
The appropriation to the Board of Pardons and Paroles shall include a transfer to the State Personnel Department of \$19,650.			

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Fund Sources Included In Appropriation Total			
General Fund	Trust Fund	Appropriation Total	
SOURCE OF FUNDS:			
(1) State General Fund .....	6,778,902		
(2) Probationers Upkeep Fund .....		1,828,987	
In accordance with Sec- tion 15-22-2, <u>Code of Ala- bama 1975.</u>			
Total Board of Pardons and Paroles .....	6,778,902	1,828,987	8,607,889
85. PEACE OFFICERS' ANNUITY AND BENEFIT FUND, ALABAMA:			
(a) Retirement Systems Program			269,894
The appropriation to the Ala- bama Peace Officers' Annuity and Benefit Fund shall include a transfer to the State Person- nel Department of \$283.			
SOURCE OF FUNDS:			
(1) Peace Officers' Annuity and Benefit Fund .....		269,894	
As provided in Section 36- 21-66, <u>Code of Alabama</u> <u>1975.</u>			
Total Alabama Peace Officers' Annuity and Benefit Fund ....		269,894	269,894
86. PENSIONS AND SECURITY, DEPARTMENT OF:			
(a) Human Services Program .....			254,454,643
Of the above appropriation, \$65,000 shall be used to fund Project Independence in Dal- las and Marshall Counties un- der the direction of the State Board of Pensions and Secu- rity.			
(b) Client Services Allotment to County Departments of Pen- sions and Security .....			165,500
It is the intent of the Legisla- ture that allotments be made to the county departments of Pensions and Security to fund,			

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Fund Sources Included  
In Appropriation Total

General Fund	Trust Fund	Appropriation <u>Total</u>
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upon approval of the county department director, supplemental client services not otherwise provided for through existing programs of the Department of Pensions and Security. Allotments to the county departments based on the counties' populations according to the 1980 census are as follows: county populations greater than 50,000, \$3,500; county populations less than 50,000, \$2,000.

The appropriation to the Department of Pensions and Security shall include a transfer to the State Personnel Department of \$325,120.

**SOURCE OF FUNDS:**

(1) Federal, Local and Miscellaneous Funds .....	175,051,417		
(2) ABC Profits .....	1,027,130		
(3) Whiskey Tax .....	18,977,228		
(4) Beer Tax .....	7,808,284		
(5) Pension Residue .....	12,800,000		
(6) Sales Tax .....	1,322,000		
(7) Franchise Tax .....	10,870,000		
(8) Contracts, Service Fees ..	80,000		
(9) Child Support Collections .....	2,884,915		
(10) Sales Tax for Food Stamps .....	15,546,503		
(11) Cigarette Tax .....	4,300,000		
(12) Contractor's Gross Receipts Tax .....	1,920,000		
(13) State General Fund - Transfer .....	2,032,666		
<hr/>			
Total Department of Pensions and Security .....	2,032,666	252,587,477	254,620,143

In addition to the above appropriation, there is hereby appropriated \$3,500,000 to the

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
Department of Mental Health and Mental Retardation from Federal, Local and Miscellaneous funds from the Department of Pensions and Security-Human Services Program to be conditioned on the availability of funds from the above mentioned source and the approval of the Governor.				
87. PERSONNEL DEPARTMENT, STATE:				
(a)	Administrative Support Program .....			2,426,546
SOURCE OF FUNDS:				
(1)	Transfer from Department of Aeronautics .....		364	
(2)	Transfer from Commission on Aging .....		1,819	
(3)	Transfer from Board of Public Accountancy .....		162	
(4)	Transfer from Department of Agriculture and Industries .....		35,540	
(5)	Transfer from Agricultural Center Board .....		768	
(6)	Transfer from Department of Air Transportation and Service .....		1,375	
(7)	Transfer from Alcoholic Beverage Control Board .....		77,510	
(8)	Transfer from Board of Registration for Architects .....		121	
(9)	Transfer from Archives and History .....		3,113	
(10)	Transfer from the Council on Arts and Humanities .....		606	
(11)	Transfer from the Office of the Attorney General .....		11,847	
(12)	Transfer from the State Auditor .....		1,819	
(13)	Transfer from State Banking Department .....		3,962	

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
(14) Transfer from Finance- Alabama Building Authority .....		2,426	
(15) Transfer from Finance- Alabama Building Fi- nance Authority .....		162	
(16) Transfer from Building Commission .....		1,456	
(17) Transfer from Child Abuse and Neglect Pre- vention Board .....		81	
(18) Transfer from Chiroprac- tic Examiners .....		81	
(19) Transfer from Civil Air Patrol .....		81	
(20) Transfer from Depart- ment of Conservation and Natural Resources ..		77,227	
(21) Transfer from State Li- censing Board for Gen- eral Contractors .....		283	
(22) Transfer from Depart- ment of Corrections .....		204,590	
(23) Transfer from Board of Cosmetology .....		728	
(24) Transfer from Credit Union Administration ...		364	
(25) Transfer from Alabama Crime Victims Compensation .....		162	
(26) Transfer from Criminal Justice Information Center .....		3,801	
(27) Transfer from Alabama Development Office .....		2,628	
(28) Transfer from State Docks .....		42,616	
(29) Transfer from Depart- ment of Education .....		105,166	
(30) Transfer from Depart- ment of Economic and Community Affairs .....		27,535	
(31) Transfer from Emer- gency Management Agency .....		2,952	



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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
(32) Transfer from Local Emergency Management .....		3,527	
(33) Transfer from Board of Registration for Profes- sional Engineers and Land Surveyors .....		283	
(34) Transfer from Depart- ment of Environmental Management .....		19,044	
(35) Transfer from Ethics Commission .....		485	
(36) Transfer from Examiners of Public Accounts .....		13,019	
(37) Transfer from Farmers' Market Authority .....		202	
(38) Transfer from Finance Department .....		35,581	
(39) Transfer from Fire- fighters Personnel Standards and Educa- tion Commission .....		283	
(40) Transfer from Foreign Trade Relations Commission .....		121	
(41) Transfer from Depart- ment of Forensic Sciences .....		9,017	
(42) Transfer from Forestry Commission .....		29,435	
(43) Transfer from Funeral Service .....		121	
(44) Transfer from Geological Survey .....		5,216	
(45) Transfer from Governor's Education Reform Commission .....		121	
(46) Transfer from Governor's Office .....		1,536	
(47) Transfer from Depart- ment of Public Health ...		156,111	
(48) Transfer from State Health Planning Agency .....		1,658	

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
(49) Transfer from Board of Heating and Air Conditioning Contractors .....		162	
(50) Transfer from Highway Department .....		345,094	
(51) Transfer from Alabama Historical Commission ...		4,043	
(52) Transfer from Alabama Indian Affairs Commission .....		122	
(53) Transfer from Department of Industrial Relations .....		146,973	
(54) Transfer from Insurance Department .....		5,054	
(55) Transfer from State Employees' Insurance Board .....		81	
(56) Transfer from Office of International Trade .....		243	
(57) Transfer from Judicial Inquiry Commission .....		40	
(58) Transfer from Department of Labor .....		728	
(59) Transfer from Legislative Reference Service .....		485	
(60) Transfer from Liquefied Petroleum Gas Board .....		526	
(61) Transfer from Alabama Medicaid Agency .....		21,632	
(62) Transfer from Department of Mental Health and Mental Retardation .....		381,605	
(63) Transfer from Military Department .....		13,302	
(64) Transfer from Board of Nursing .....		1,173	
(65) Transfer from Board of Examiners of Nursing Home Administrators ....		40	
(66) Transfer from Oil and Gas Board .....		3,882	

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
(67) Transfer from Pardons and Paroles .....		19,650	
(68) Transfer from Peace Of- ficers' Annuity and Ben- efit Fund .....		283	
(69) Transfer from Peace Of- ficers' Standards and Training Commission ....		445	
(70) Transfer from Depart- ment of Pensions and Security .....		325,120	
(71) Transfer from Physical Fitness Commission .....		485	
(72) Transfer from Board of Physical Therapy .....		81	
(73) Transfer from Board of Polygraph Examiners ....		81	
(74) Transfer from Public Li- brary Service .....		4,812	
(75) Transfer from Depart- ment of Public Safety ....		91,742	
(76) Transfer from Public Service Commission .....		10,634	
(77) Transfer from Alabama Educational Television Commission .....		6,874	
(78) Transfer from Real Es- tate Commission .....		1,051	
(79) Transfer from Retire- ment Systems .....		8,653	
(80) Transfer from Depart- ment of Revenue .....		91,419	
(81) Transfer from Secretary of State .....		2,305	
(82) Transfer from Securities Commission .....		1,617	
(83) Transfer from Board of Social Work Examiners		81	
(84) Transfer from Soil and Water Conservation .....		364	
(85) Transfer from Surface Mining Commission .....		4,488	
(86) Transfer from Bureau of Tourism and Travel .....		5,539	

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(87) Transfer from State Treasurer .....			3,760	
(88) Transfer from Depart- ment of Veterans' Affairs .....			4,933	
(89) Transfer from Depart- ment of Youth Services .....			29,839	
Total State Personnel Department .....			2,426,546	2,426,546
88. PHYSICAL THERAPY, BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program .....				59,864
The appropriation to the Board of Physical Therapy shall in- clude a transfer to the State Personnel Department of \$81.				
SOURCE OF FUNDS:				
(1) Physical Therapy Fund ... As provided in Section 34- 24-195, <u>Code of Alabama</u> <u>1975.</u>			59,864	
Total Board of Physical Therapy .....			59,864	59,864
89. POLYGRAPH EXAMINERS, BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program .....				39,000
The appropriation to the Board of Polygraph Examiners shall include a transfer to the State Personnel Department of \$81.				
SOURCE OF FUNDS:				
(1) Board of Polygraph Ex- aminers Fund .....			39,000	
As provided in Section 34- 25-5, <u>Code of Alabama</u> <u>1975.</u>				
Total Board of Polygraph Examiners .....			39,000	39,000

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
90.	PROSECUTION SERVICES, OFFICE OF:			
	(a) Prosecution, Training, Educa- tion and Management Program .....			570,747
	SOURCE OF FUNDS:			
	(1) Office of Prosecution Serv- ices Fund .....		570,747	
	Total Office of Prosecution Services .....		570,747	570,747
91.	PSYCHOLOGY, ALABAMA BOARD OF EXAMINERS IN:			
	(a) Professional and Occupational Licensing and Regulation Program .....			55,600
	SOURCE OF FUNDS:			
	(1) Board of Examiners in Psychology Fund .....		55,600	
	As provided in Section 34- 26-43, <u>Code of Alabama</u> <u>1975</u> , as amended.			
	Total Alabama Board of Ex- aminers in Psychology .....		55,600	55,600
92.	PUBLIC SAFETY, DEPARTMENT OF:			
	(a) Traffic Control and Accident Prevention Program .....			20,359,354
	(b) Criminal Investigation Program .....			4,129,365
	(c) Driver's Licensing and Im- provement Program .....			9,590,156
	(d) Public Safety Support Services Program .....			6,253,748
	(e) Administrative Services Program .....			2,796,831
	(f) Alabama Criminal Justice Training Center Program .....			2,720,546
	The appropriation to the De- partment of Public Safety shall include a transfer to the State Personnel Department of \$91,742.			

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) State General Fund .....	45,850,000			
Total Department of Public Safety .....	45,850,000			45,850,000
93. PUBLIC SERVICE COMMISSION:				
(a) Regulatory Services Program				5,761,159
(b) Administrative Services Program .....				1,939,088
The appropriation to the Public Service Commission shall include a transfer to the State Personnel Department of \$10,634.				
SOURCE OF FUNDS:				
(1) Public Service Commission Fund .....		6,857,220		
The above appropriation to the Alabama Public Service Commission shall be payable only from inspection and supervision fees paid by utilities and transportation companies and such parts or percentages of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by the Commission. Any surplus remaining in the Alabama Public Service Commission Fund at the end of the fiscal year in excess of \$500,000 shall be transferred to the State General Fund.				
(2) Gas Pipeline Safety Fund		482,027		
(3) Federal and Miscellaneous Funds .....		361,000		
Total Public Service Commission .....		7,700,247		7,700,247

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
94.	REAL ESTATE COMMISSION, ALABAMA:			
	(a) Professional and Occupational Licensing and Regulation Program .....			1,036,980
	The appropriation to the Ala- bama Real Estate Commission shall include a transfer to the State Personnel Department of \$1,051.			
	SOURCE OF FUNDS:			
	(1) Alabama Real Estate Commission Fund .....		1,036,980	
	As provided in Section 34- 27-4, <u>Code of Alabama</u> <u>1975, as amended</u> and the total expenditures shall in no manner exceed the amounts hereby appropriat- ed.			
	Total Alabama Real Estate Commission .....		1,036,980	1,036,980
95.	REVENUE, DEPARTMENT OF:			
	(a) State Revenue Administration Program .....			44,685,840
	The appropriation to the De- partment of Revenue shall in- clude a transfer to the State Personnel Department of \$91,419.			
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer .....	250,000		
	As provided in Section 40-7-70, <u>Code of Ala- bama 1975</u> , to maintain a program for the equal- ization of ad valorem tax assessments.			
	(2) State General Fund - Transfer - Boards of Equalization .....	130,992		
	(3) Transfer from the gross proceeds of Cigarette Tax Collections .....		1,295,405	
	As provided in Section 40-25-2 and Section 40-			

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
<u>25-23, Code of Alabama</u> <u>1975, as amended.</u>			
(4) Transfer from the gross proceeds of Financial In- stitution Excise Tax Collections .....		219,104	
(5) Transfer from the pro- ceeds of the Forest Sev- erance Tax Collections ...		130,694	
(6) Transfer from the gross proceeds of Gasoline Tax Collections .....		3,836,244	
(7) Transfer from the In- come Tax Collections .....		13,019,399	
(8) Transfer from the gross proceeds of Motor Fuel Tax Collections .....		799,538	
(9) Transfer from the gross proceeds of Motor Vehi- cle License Collections ...		1,733,613	
(10) Transfer from the Pen- sion Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax		530,463	
(11) Transfer from the Public School Fund as part of the cost of collections of the 3-Mill Ad Valorem Tax		1,306,937	
(12) Transfer from the gross proceeds of Sales Tax Collections .....		11,485,670	
(13) Transfer from the gross proceeds of the Tobacco Tax Collections .....		34,595	
(14) Transfer from the gross proceeds of Use Tax Collections .....		1,256,966	
(15) Transfer from the gross proceeds of the Utility Tax Collections .....		2,790,695	
As provided in Section 40-21-1, <u>Code of Ala-</u> <u>bama 1975.</u>			



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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(16)	Local Funds .....		3,500,442	
(17)	Transfer from the gross proceeds of Motor Vehi- cle License Collections for the purchase only of Mo- tor Vehicle License Tags .....		2,365,083	
<p>The amounts hereina- bove appropriated for the cost of maintenance and operations of the Depart- ment of Revenue are in lieu of any other statu- tory provisions for the payment of the cost of operating said Depart- ment or collections of the taxes as authorized by law. Provided, however, in addition to the amount hereinabove appropri- ated, there is hereby ap- propriated to the Department of Revenue all sums allowed the De- partment of Revenue by local Acts of the Legisla- ture as a charge for the collection of taxes or li- censes.</p>				
	Total Department of Revenue .....	380,992	44,304,848	44,685,840
96.	SECRETARY OF STATE:			
(a)	Administrative Support Serv- ices Program .....			779,758
<p>The appropriation to the Sec- retary of State shall include a transfer to the State Personnel Department of \$2,305.</p>				
SOURCE OF FUNDS:				
(1)	State General Fund .....	779,758		
	Total Secretary of State .....	779,758		779,758
97.	SECURITIES COMMISSION:			
(a)	Regulatory Services Program .....			898,328
<p>The appropriation to the Se- curities Commission shall in- clude a transfer to the State</p>				

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
Personnel Department of \$1,617.				
SOURCE OF FUNDS:				
(1) State General Fund .....	486,446			
(2) Industrial Development Bond Notification Fund ..			169,063	
(3) Sale of Checks License Fund .....			7,000	
(4) Exemption Fund .....			235,819	
Total Securities Commission	486,446	411,882		898,328
98. SENIOR CITIZENS HALL OF FAME, ALABAMA:				
(a) Historical Resources Manage- ment Program .....				23,875
To be expended in accordance with Sections 41-9-740 et seq., <u>Code of Alabama 1975</u> , as amended.				
SOURCE OF FUNDS:				
(1) State General Fund .....	23,875			
Total Alabama Senior Citizens Hall of Fame .....	23,875			23,875
99. SOCIAL WORK EXAMINERS, ALABAMA STATE BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program .....				52,857
The appropriation to the Ala- bama State Board of Social Work Examiners shall include a transfer to the State Person- nel Department of \$81.				
SOURCE OF FUNDS:				
(1) Alabama State Board of Social Work Examiners Fund .....			52,857	
As provided in Section 34- 30-6, <u>Code of Alabama</u> <u>1975</u> , (1983 Cum. Supp.).				
Total Alabama State Board of Social Work Examiners .....			52,857	52,857

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
100.	SOIL AND WATER CONSERVATION COMMITTEE, STATE:			
	(a) Water Resource Development Program .....			1,029,681
	(b) Professional and Occupational Licensing and Regulation Program .....			3,000
	The appropriation to the State Soil and Water Conservation Committee shall include a transfer to the State Personnel Department of \$364.			
	SOURCE OF FUNDS:			
	(1) State General Fund .....	1,029,681		
	(2) Soil Classifiers Fund .....		3,000	
	As provided in Section 34- 32-19, <u>Code of Alabama</u> 1975, as amended.			
	Total State Soil and Water Conservation Committee .....	1,029,681	3,000	1,032,681
101.	SOUTHERN GROWTH POLICIES BOARD:			
	(a) Special Services Program .....			27,830
	SOURCE OF FUNDS:			
	(1) State General Fund .....	27,830		
	Total Southern Growth Poli- cies Board .....	27,830		27,830
102.	SPEECH PATHOLOGY AND AUDIOLOGY, ALABAMA BOARD OF EXAMINERS FOR:			
	(a) Professional and Occupational Licensing and Regulation Program .....			21,628
	SOURCE OF FUNDS:			
	(1) Alabama Board of Exam- iners for Speech Pathology and Audiology Fund .....		21,628	
	As provided in Section 34- 28A-44, <u>Code of Alabama</u> 1975.			
	Total Alabama Board of Ex- aminers for Speech Pathology and Audiology .....		21,628	21,628

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
103.	SPORTS HALL OF FAME, ALABAMA:			
	(a) Historical Resources Manage- ment Program .....			140,350
	SOURCE OF FUNDS:			
	(1) State General Fund .....	140,350		
	Total Alabama Sports Hall of Fame .....	140,350		140,350
104.	SURFACE MINING COMMISSION, ALABAMA:			
	(a) Industrial Safety and Accident Prevention Program .....			4,551,459
	The appropriation to the Ala- bama Surface Mining Com- mission shall include a transfer to the State Personnel Depart- ment of \$4,488.			
	SOURCE OF FUNDS:			
	(1) State General Fund- Transfer .....	250,000		
	(2) Surface Mining Commis- sion Fund .....		4,301,459	
	As provided by Section 9- 16-103, Code of Alabama (1983 Cum. Supp.). All fees and charges, grants, gifts, fines, bond forfeitures or other monies received un- der the above act, in ad- dition to the appropriation herein made, are appropri- ated to the Surface Mining Commission.			
	Total Alabama Surface Min- ing Commission .....	250,000	4,301,459	4,551,459
	An additional \$500,000 is here- by conditionally appropriated to the Surface Mining Com- mission upon the availability of funds in the State General Fund and upon the approval of the Governor.			

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
105.	<b>TANNEHILL FURNACE AND FOUNDRY COMMISSION:</b>			
(a)	Historical Resources Manage- ment Program .....			618,190
(b)	Sewer System Project-Capital Outlay .....			48,000
	<b>SOURCE OF FUNDS:</b>			
(1)	State General Fund .....	208,190		
(2)	State General Fund-Capi- tal Outlay for Sewer System .....	48,000		
(3)	Federal, Local and Miscel- laneous Funds .....		410,000	
	<b>Total Tannehill Furnace and Foundry Commission .....</b>	<b>256,190</b>	<b>410,000</b>	<b>666,190</b>
106.	<b>TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY:</b>			
(a)	Water Resource Development Program .....			311,531
	<b>SOURCE OF FUNDS:</b>			
(1)	State General Fund .....	125,000		
(2)	Federal, Local and Miscel- laneous Funds .....		186,531	
	<b>Total Tennessee-Tombigbee Waterway Development Authority .....</b>	<b>125,000</b>	<b>186,531</b>	<b>311,531</b>
107.	<b>TENNESSEE VALLEY EXHIBIT COMMISSION OF ALABAMA:</b>			
(a)	Promotional Development Program .....			366,330
	<b>To be expended in accordance with Sections 41-9-780 et seq., Code of Alabama 1975, as amended.</b>			
	<b>SOURCE OF FUNDS:</b>			
(1)	State General Fund .....	85,000		
(2)	Federal, Local and Miscel- laneous Funds .....		281,330	

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Tennessee Valley Ex- hibit Commission of Alabama .....		85,000	281,330	366,330
108. TOURISM AND TRAVEL, BUREAU OF:				
(a) Tourism and Travel Promo- tion Program .....				3,050,740
The appropriation to the Bu- reau of Tourism and Travel shall include a transfer to the State Personnel Department of \$5,539.				
SOURCE OF FUNDS:				
(1) State General Fund- Transfer .....		718,172		
(2) Lodgings Tax (\$0.01) .....			2,332,568	
Receipts collected under the provisions of Sections 40-26-1 et seq., Code of Alabama 1975, as amended.				
Total Bureau of Tourism and Travel .....		718,172	2,332,568	3,050,740
109. TREASURER, STATE:				
(a) Fiscal Management Program .....				1,448,353
The appropriation to the State Treasurer shall include a trans- fer to the State Personnel De- partment of \$3,760.				
SOURCE OF FUNDS:				
(1) State General Fund .....		1,448,353		
Total State Treasurer .....		1,448,353		1,448,353
110. UNIFORM STATE LAWS, ALABAMA COMMISSION ON:				
(a) Special Services Program, Estimated .....				4,775
SOURCE OF FUNDS:				
(1) State General Fund .....		4,775		

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Fund Sources Included In Appropriation Total			
	General Fund	Trust Fund	Appropriation <u>Total</u>
As provided in Section 41-9-374, <u>Code of Alabama 1975.</u>			
Total Alabama Commission on Uniform State Laws .....	4,775		4,775
111. VETERANS' AFFAIRS, DEPARTMENT OF:			
(a) Administration of Veterans' Affairs Program .....			2,753,149
(b) Alabama Vietnam Veterans' Leadership Program .....			25,000
The expenditures of said appropriation to the Alabama Vietnam Veterans' Leadership Program shall be subject to the rules and regulations promulgated by the State Department of Veterans' Affairs.			
The appropriation to the Department of Veterans' Affairs shall include a transfer to the State Personnel Department of \$4,933.			
SOURCE OF FUNDS:			
(1) State General Fund .....	2,778,149		
Total Department of Veterans' Affairs .....	2,778,149		2,778,149
In addition to the above appropriation to the Department of Veterans' Affairs, there is hereby conditionally appropriated \$2,000,000 for capital outlay for construction of a State Veterans' Home to be conditional upon the receipt of 65% matching Federal Funds from the Veterans' Administration for such purpose. These funds are also conditional upon the availability of funds and shall remain in the State General Fund until a demonstrated need is determined and recommended by the Finance Director and approved by the Governor.			

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
112.	VETERINARY MEDICAL EXAMINERS, ALABAMA STATE BOARD OF:			
(a)	Professional and Occupational Licensing and Regulation Program .....			75,000
	SOURCE OF FUNDS:			
(1)	State Board of Veterinary Medical Examiners Fund As provided in Section 34- 29-23 and Section 34-29- 41, <u>Code of Alabama 1975</u> , as amended.		75,000	
	Total Alabama State Board of Veterinary Medical Examiners .....		75,000	75,000
113.	WOMEN'S COMMISSION, ALABAMA:			
(a)	Employment and Social Op- portunities Program .....			10,505
	SOURCE OF FUNDS:			
(1)	State General Fund .....	10,505		
	Total Alabama Women's Commission .....	10,505		10,505
114.	WOMEN'S HALL OF FAME, ALABAMA:			
(a)	Historical Resources Manage- ment Program .....			5,730
	SOURCE OF FUNDS:			
(1)	State General Fund .....	5,730		
	Total Alabama Women's Hall of Fame .....	5,730		5,730
115.	SPACE SCIENCE EXHIBIT COMMISSION, ALABAMA:			
(a)	Tourism and Travel Promo- tion Program .....			35,000
	SOURCE OF FUNDS:			
(1)	State General Fund .....	35,000		
	Total Alabama Space Science Exhibit Commission .....	35,000		35,000



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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
D.	OTHER FUNCTIONS OF GOVERNMENT FUNDED FROM THE STATE GENERAL FUND:			
1.	ADVERTISING LANDS FOR TAX SALE:			
(a)	State Revenue Administration Program, Estimated .....			60,000
	SOURCE OF FUNDS:			
(1)	State General Fund .....	60,000		
	Total Advertising Lands for Tax Sale .....	60,000		60,000
2.	ARREST OF ABSCONDING FELONS:			
(a)	Criminal Investigation Pro- gram, Estimated .....			65,000
	SOURCE OF FUNDS:			
(1)	State General Fund .....	65,000		
	Total Arrest of Absconding Felons .....	65,000		65,000
3.	ATTORNEYS' FEES FOR REAPPORTIONMENT CASES:			
(a)	Legal Advice and Legal Serv- ices Program, Estimated .....			50,000
	SOURCE OF FUNDS:			
(1)	State General Fund .....	50,000		
	Total Attorneys' Fees for Re- apportionment Cases .....	50,000		50,000
4.	AUTOMATIC APPEAL EXPENSE:			
(a)	Legal Advice and Legal Serv- ices Program, Estimated .....			100
	SOURCE OF FUNDS:			
(1)	State General Fund .....	100		
	As provided in Section 12- 22-150 and Section 12-22- 241, <u>Code of Alabama</u> <u>1975.</u>			
	Total Automatic Appeal Expense .....	100		100

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
5.	CIVIL COURT COSTS IN CONNECTION WITH AD VALOREM TAX ASSESSMENT APPEALS:			
	(a) State Revenue Administration Program, Estimated .....			200
	SOURCE OF FUNDS:			
	(1) State General Fund .....	200		
	Total Civil Court Costs in Connection with Ad Valorem Tax Assessment Appeals .....	200		200
6.	CONSUMER UTILITY RATE HEARING:			
	(a) Executive Direction Program			250,000
	SOURCE OF FUNDS:			
	(1) State General Fund- Transfer .....	250,000		
	As provided in Section 37- 1-18 Code of Alabama 1975, (1983 Cum. Supp.).			
	Total Consumer Utility Rate Hearing .....	250,000		250,000
7.	COURT-ASSESSED COSTS NOT OTHERWISE PROVIDED FOR:			
	(a) Court-Assessed Costs Pro- vided by Law for Which No Other Appropriations are Made-Special Services Pro- gram, Estimated .....			850,000
	It is the intent of the Legisla- ture that the above appropria- tion be expended only for costs assessed by state and federal courts and specifically excludes any attorney fees, court judg- ments or out-of-court settle- ments except those provided in <u>Code of Alabama, 1975, Sec-</u> <u>tion 22-52-14.</u>			
	(b) Court-Assessed Attorney Fees in Cases Where the State is a Defendant-Legal Advice and legal Services Program .....			250,000
	It is the intent of the Legisla- ture that the above appropria- tion be released only at the			

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
direction of the Governor for statewide court cases.				
SOURCE OF FUNDS:				
(1) State General Fund, Estimated .....	850,000			
(2) State General Fund .....	250,000			
<hr/>				
Total Court-Assessed Costs Not Otherwise Provided For ..	1,100,000			1,100,000
<hr/>				
8. COURT COSTS-ACT NO. 558, 1957:				
(a) Court Operations Program, Estimated .....				500
SOURCE OF FUNDS:				
(1) State General Fund .....	500			
Pursuant to Act No. 558, 1957, page 777.				
<hr/>				
Total Court Costs-Act No. 558, 1957 .....	500			500
<hr/>				
9. DISTRIBUTION OF PUBLIC DOCUMENTS:				
(a) Administrative Support Serv- ices Program, Estimated .....				80,000
SOURCE OF FUNDS:				
(1) State General Fund .....	80,000			
<hr/>				
Total Distribution of Public Documents .....	80,000			80,000
<hr/>				
10. STATE DOCKS TRANSFER .....				3,500,000
SOURCE OF FUNDS:				
(1) State General Fund- Transfer .....	3,500,000			
The above appropriation to the State Docks shall be conditional upon the availability of funds and shall remain in the State General Fund until a dem- onstrated need is deter- mined and recommended by the Finance Director and approved by the Gov- ernor.				
<hr/>				
Total State Docks Transfer ....	3,500,000			3,500,000

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
11.	ELECTION EXPENSES:			
	(a) Special Services Program, Estimated .....			1,000,000
	SOURCE OF FUNDS:			
	(1) State General Fund .....	1,000,000		
	Total Election Expenses .....	1,000,000		1,000,000
	In addition to the above appro- priation for Election Expenses, there is hereby appropriated \$1,000,000 to be conditioned on the availability of funds in the State General Fund and the approval of the Governor.			
12.	EMERGENCY FUND, DEPARTMENTAL:			
	(a) Special Services Program .....			205,160
	SOURCE OF FUNDS:			
	(1) State General Fund .....	205,160		
	(This is the appropriation contemplated in Section 41-4-94, Code of Alabama 1975, and shall be the only amount appropriated and the total amount expended under the provisions of said section.)			
	Total Departmental Emer- gency Fund .....	205,160		205,160
13.	FEEDING OF PRISONERS:			
	(a) Institutional Services-Correc- tions Program, Estimated .....			3,500,000
	SOURCE OF FUNDS:			
	(1) State General Fund .....	3,500,000		
	For expenses of feeding prisoners in county jails ...			
	Total Feeding of Prisoners .....	3,500,000		3,500,000
14.	DEPARTMENT OF FINANCE - CAPITAL OUTLAY:			
	(a) Special Services Program, Estimated .....			500,000
	For capital outlay, renovation, and Capitol moving.			

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) State General Fund - Cap- ital Outlay, Estimated .....	500,000			
Total Department of Finance- Capital Outlay .....	500,000			500,000
15. FINANCE DIRECTOR - RENT - STATE HOUSE:				
(a) Fiscal Management Program, Estimated .....				100,000
SOURCE OF FUNDS:				
(1) State General Fund .....	100,000			
Total Finance Director-Rent- State House .....	100,000			100,000
The above appropriation to the Finance Director-Rent-State House is to be expended by agencies for rent.				
16. DEPARTMENT OF FINANCE - EMPLOYEES' SUGGESTION AWARDS PROGRAM:				
(a) Fiscal Management Program				10,000
In accordance with Section 36- 1-7, <u>Code of Alabama 1975</u> , as amended.				
SOURCE OF FUNDS:				
(1) State General Fund .....	10,000			
Total Department of Finance- Employees' Suggestion Awards Program .....	10,000			10,000
17. DEPARTMENT OF FINANCE - FEMA:				
(a) Readiness and Recovery Pro- gram, Estimated .....				1,866,090
Payments of the State's share of administration costs and matching grants furnished by the Federal Emergency Man- agement Agency.				

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
	(1) State General Fund .....	1,866,090		
	Total Department of Finance- FEMA .....	1,866,090		1,866,090
18.	DEPARTMENT OF FINANCE - TELEPHONE REVOLVING FUND: .....			1,899,717
SOURCE OF FUNDS:				
	(1) State General Fund - Transfer .....	1,899,717		
	Total Department of Finance- Telephone Revolving Fund ....	1,899,717		1,899,717
19.	FOREST FIRE FUND, EMERGENCY:			
	(a) Forest Resource Protection Program .....			180,000
SOURCE OF FUNDS:				
	(1) State General Fund - Transfer .....	180,000		
	As provided by Sec. 9-3- 10.1, <u>Code of Alabama</u> <u>1975.</u>			
	Total Emergency Forest Fire Fund .....	180,000		180,000
20.	GOVERNOR'S CONFERENCE, NATIONAL:			
	(a) Executive Direction Program .....			90,900
SOURCE OF FUNDS:				
	(1) State General Fund .....	90,900		
	Total National Governor's Conference .....	90,900		90,900
21.	GOVERNOR'S COUNCILLOR:			
	(a) Executive Direction Program, Estimated .....			26,000
SOURCE OF FUNDS:				
	(1) State General Fund .....	26,000		

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		Fund Sources Included In Appropriation Total		
		General Fund	Trust Fund	Appropriation <u>Total</u>
As provided in Section 36-13-13, <u>Code of Alabama 1975</u> (1983 Cum. Supp.).				
Total Governor's Councillor ...		26,000		26,000
22.	GOVERNOR'S PROCLAMATION EXPENSE:			
(a)	Executive Direction Program, Estimated .....			150,000
SOURCE OF FUNDS:				
(1)	State General Fund .....	150,000		
Total Governor's Proclamation Expense .....		150,000		150,000
23.	GOVERNORS' WIDOWS RETIREMENT:			
(a)	Executive Direction Program, Estimated .....			14,400
SOURCE OF FUNDS:				
(1)	State General Fund .....	14,400		
Total Governors' Widows Retirement .....		14,400		14,400
24.	INTERPRETER'S ACCOUNT:			
(a)	Court Operations Program, Estimated .....			2,500
SOURCE OF FUNDS:				
(1)	State General Fund .....	2,500		
As provided in Sections 12-21-131 et seq., <u>Code of Alabama 1975</u> .				
Total Interpreter's Account ....		2,500		2,500
25.	LAW ENFORCEMENT FUND:			
(a)	Criminal Investigation Program, Estimated .....			1,000
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer .....	1,000		
Total Law Enforcement Fund .....		1,000		1,000

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
26.	LAW ENFORCEMENT LEGAL DEFENSE:			
(a)	Legal Advice and Legal Services Program, Estimated .....			3,000
	SOURCE OF FUNDS:			
(1)	State General Fund .....	3,000		
	To carry out provisions of Section 36-21-1, <u>Code of Alabama 1975</u> .			
	Total Law Enforcement Legal Defense .....	3,000		3,000
27.	LIABILITY INSURANCE FUND, STATE .....			1,000,000
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer .....	1,000,000		
	Total State Liability Insurance Fund .....	1,000,000		1,000,000
	Of the above appropriation \$40,000 is hereby appropriated to the Liability Insurance Board for administrative ex- penses.			
28.	MAILING TAX NOTICES:			
(a)	State Revenue Administration Program, Estimated .....			100
	SOURCE OF FUNDS:			
(1)	State General Fund .....	100		
	Total Mailing Tax Notices .....	100		100
29.	POLICEMAN'S SURVIVOR TUITION ACT:			
(a)	Support of Other Educational Activities Program, Estimated .....			5,000
	SOURCE OF FUNDS:			
(1)	State General Fund .....	5,000		
	Total Policeman's Survivor Tuition Act .....	5,000		5,000



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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
30.	<b>PRESIDENTIAL ELECTORAL EXPENSE:</b>			
	(a) Administrative Support Serv- ices Program, Estimated .....			2,000
	<b>SOURCE OF FUNDS:</b>			
	(1) State General Fund .....	2,000		
	<b>Total Presidential Electoral Expense .....</b>	<b>2,000</b>		<b>2,000</b>
31.	<b>PRINTING OF CODE SUPPLEMENT - LEGISLATIVE REFERENCE SERVICE:</b>			
	(a) Legislative Operations and Support Program, Estimated .....			500,000
	<b>SOURCE OF FUNDS:</b>			
	(1) State General Fund .....	500,000		
	<b>Total Printing of Code Supple- ment - Legislative Reference Service .....</b>	<b>500,000</b>		<b>500,000</b>
32.	<b>PRINTING CODES AND SUPPLEMENTS - SECRETARY OF STATE:</b>			
	(a) Administrative Support Serv- ices Program, Estimated .....			280,000
	<b>SOURCE OF FUNDS:</b>			
	(1) State General Fund .....	280,000		
	<b>Total Printing Codes and Sup- plements - Secretary of State .....</b>	<b>280,000</b>		<b>280,000</b>
33.	<b>PRINTING OF LEGISLATIVE ACTS AND JOURNALS:</b>			
	(a) Administrative Support Serv- ices Program, Estimated .....			500,000
	<b>SOURCE OF FUNDS:</b>			
	(1) State General Fund .....	500,000		
	<b>Total Printing of Legislative Acts and Journals .....</b>	<b>500,000</b>		<b>500,000</b>
34.	<b>PRINTING OF STATE AND COUNTY PRIVILEGE LICENSES:</b>			
	(a) State Revenue Administration Program, Estimated .....			25,000

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) State General Fund .....	25,000			
Total Printing of State and County Privilege Licenses .....	25,000			25,000
35. PUBLIC DEFENDER:				
(a) Court Operations Program, Estimated .....				60,700
SOURCE OF FUNDS:				
(1) State General Fund .....	60,700			
For salary of Public De- fender for the 21st Judicial Circuit, as provided by Section 15-12-43, <u>Code of Alabama 1975.</u>				
Total Public Defender .....	60,700			60,700
36. REGISTRATION OF VOTERS:				
(a) Special Services Program, Estimated .....				1,500,000
SOURCE OF FUNDS:				
(1) State General Fund .....	1,500,000			
In accordance with Sec- tions 17-4-126 and 17-4- 153, <u>Code of Alabama 1975, as amended.</u>				
Total Registration of Voters ...	1,500,000			1,500,000
37. REMOVAL OF PRISONERS:				
(a) Administrative Services and Logistical Support Program, Estimated .....				300,000
SOURCE OF FUNDS:				
(1) State General Fund .....	300,000			
Total Removal of Prisoners ....	300,000			300,000
38. SOCIAL SECURITY-COUNTY JUDICIAL:				
(a) Fringe Benefit Program, Estimated .....				300,000
SOURCE OF FUNDS:				
(1) State General Fund .....	300,000			
Total Social Security-County Judicial .....	300,000			300,000

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
39.	STATE GENERAL FUND, ESTIMATED .....			61,500,000
	SOURCE OF FUNDS:			
	(1) Heritage Trust Income Fund Transfer, Estimated .....		61,500,000	
	All income other than in- come realized on sale of Trust Fund assets and not otherwise appropriated herein.			
	Total State General Fund, Estimated .....		61,500,000	61,500,000
40.	STATE TREASURER- PREVIOUS YEAR'S UNPAID WARRANTS:			
	(a) Special Services Program, Estimated .....			200,000
	SOURCE OF FUNDS:			
	(1) State General Fund .....	200,000		
	Total State Treasurer-Pre- vious Year's Unpaid Warrants .....	200,000		200,000
E.	FINANCIAL ASSISTANCE TO NON-STATE AGENCIES:			
1.	AMOS ALONZO STAGG BOWL:			
	(a) Tourism and Travel Promo- tion Program .....			7,500
	SOURCE OF FUNDS:			
	(1) State General Fund .....	7,500		
	Total Amos Alonzo Stagg Bowl .....	7,500		7,500
2.	ANNISTON SUBREGIONAL LIBRARY FOR THE BLIND AND HANDICAPPED:			
	(a) Public Library Services Program .....			3,375
	SOURCE OF FUNDS:			
	(1) State General Fund .....	3,375		
	Total Anniston Subregional Library for the Blind and Handicapped .....	3,375		3,375

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
3.	APPALACHIAN REGIONAL COMMISSION:			
	(a) Planning Program .....			142,478
	SOURCE OF FUNDS:			
	(1) State General Fund .....	142,478		
	Total Appalachian Regional Commission .....	142,478		142,478
4.	ARMED FORCES DAY IN ALABAMA:			
	(a) Historical Resources Manage- ment Program .....			627
	SOURCE OF FUNDS:			
	(1) State General Fund .....	627		
	Total Armed Forces Day in Alabama .....	627		627
5.	ARMY AVIATION MUSEUM FOUNDATION, INC.:			
	(a) Historical Resources Manage- ment Program .....			56,250
	SOURCE OF FUNDS:			
	(1) State General Fund .....	56,250		
	Total Army Aviation Museum Foundation, Inc. ....	56,250		56,250
6.	ARTS HALL OF FAME, ALABAMA:			
	(a) Fine Arts Program .....			3,375
	SOURCE OF FUNDS:			
	(1) State General Fund .....	3,375		
	Total Alabama Arts Hall of Fame .....	3,375		3,375
7.	AZALEA TRAIL FESTIVAL, MOBILE:			
	(a) Tourism and Travel Promo- tion Program .....			1,167
	SOURCE OF FUNDS:			
	(1) State General Fund .....	1,167		
	Total Mobile Azalea Trail Festival .....	1,167		1,167

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
8.	<b>BALDWIN HERITAGE MUSEUM ASSOCIATION, INC.:</b>			
	(a) Historical Resources Manage- ment Program .....			11,250
	<b>SOURCE OF FUNDS:</b>			
	(1) State General Fund .....	11,250		
	Total Baldwin Heritage Mu- seum Association, Inc. ....	11,250		11,250
9.	<b>BAYOU LA BATRE SEAFOOD FESTIVAL:</b>			
	(a) Tourism and Travel Promo- tion Program .....			750
	<b>SOURCE OF FUNDS:</b>			
	(1) State General Fund .....	750		
	Total Bayou La Batre Seafood Festival .....	750		750
10.	<b>BEACON HOUSE-JASPER:</b>			
	(a) Social Services Program .....			37,500
	<b>SOURCE OF FUNDS:</b>			
	(1) State General Fund .....	37,500		
	Total Beacon House-Jasper ...	37,500		37,500
11.	<b>BIG NANCE CREEK WATER MANAGEMENT DISTRICT:</b>			
	(a) Water Resource Development Program .....			1,050
	<b>SOURCE OF FUNDS:</b>			
	(1) State General Fund .....	1,050		
	Total Big Nance Creek Water Management District .....	1,050		1,050
12.	<b>BIRMINGHAM CHAMBER MUSIC SOCIETY:</b>			
	(a) Fine Arts Program .....			1,167
	<b>SOURCE OF FUNDS:</b>			
	(1) State General Fund .....	1,167		
	Total Birmingham Chamber Music Society .....	1,167		1,167

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
13.	BIRMINGHAM FESTIVAL OF ARTS:			
	(a) Fine Arts Program .....			11,423
	SOURCE OF FUNDS:			
	(1) State General Fund .....	11,423		
	Total Birmingham Festival of Arts .....	11,423		11,423
14.	BIRMINGHAM INTERNATIONAL EDUCATIONAL FILM FESTIVAL:			
	(a) Fine Arts Program .....			5,625
	SOURCE OF FUNDS:			
	(1) State General Fund .....	5,625		
	Total Birmingham Interna- tional Educational Film Festival .....	5,625		5,625
15.	BLOUNT COUNTY-ONEONTA AGRI-BUSINESS ASSOCIATION-FARMERS' MARKET:			
	(a) Agricultural Development Services Program .....			18,750
	SOURCE OF FUNDS:			
	(1) State General Fund .....	18,750		
	Total Blount County-Oneonta Agri-Business Association- Farmers' Market .....	18,750		18,750
16.	BLUE AND GRAY ASSOCIATION:			
	(a) Tourism and Travel Promo- tion Program .....			7,500
	SOURCE OF FUNDS:			
	(1) State General Fund .....	7,500		
	Total Blue and Gray Association .....	7,500		7,500
17.	BLUEBERRY FESTIVAL- BREWTON, ALABAMA:			
	(a) Tourism and Travel Promo- tion Program .....			7,500

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) State General Fund .....	7,500			
Total Alabama Blueberry Festival-Brewton .....	7,500			7,500
18. BRIERFIELD IRONWORKS PARKS:				
(a) Outdoor Recreation Sites and Services Program .....				37,500
SOURCE OF FUNDS:				
(1) State General Fund .....	37,500			
Total Brierfield Ironworks Park .....	37,500			37,500
19. BUCK CREEK WATERSHED:				
(a) Water Resource Development Program .....				18,750
SOURCE OF FUNDS:				
(1) State General Fund .....	18,750			
Total Buck Creek Watershed .....	18,750			18,750
20. CHILTON COUNTY HISTORICAL SOCIETY:				
(a) Historical Resources Management Program .....				3,750
SOURCE OF FUNDS:				
(1) State General Fund .....	3,750			
Total Chilton County Historical Society .....	3,750			3,750
21. CHILTON COUNTY PEACH FESTIVAL:				
(a) Tourism and Travel Promotion Program .....				8,438
SOURCE OF FUNDS:				
(1) State General Fund .....	8,438			
Total Chilton County Peach Festival .....	8,438			8,438
22. CHOCCOLOCCO CREEK WATERSHED ASSOCIATION:				
(a) Water Resource Development Program .....				1,638

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
	(1) State General Fund .....	1,638		
	Total Choccolocco Creek Wa- tershed Association .....	1,638		1,638
23. CITRONELLE OIL BOWL:				
	(a) Tourism and Travel Promo- tion Program .....			375
SOURCE OF FUNDS:				
	(1) State General Fund .....	375		
	Total Citronelle Oil Bowl .....	375		375
24. CIVIL AIR PATROL:				
	(a) Readiness and Recovery Program .....			60,000
	The appropriation to the Civil Air Patrol shall include a transfer to the State Personnel Department of \$81.			
SOURCE OF FUNDS:				
	(1) State General Fund .....	60,000		
	Total Civil Air Patrol .....	60,000		60,000
25. CLAY COUNTY BLUEBERRY FESTIVAL:				
	(a) Tourism and Travel Promo- tion Program .....			1,520
SOURCE OF FUNDS:				
	(1) State General Fund .....	1,520		
	Total Clay County Blueberry Festival .....	1,520		1,520
26. CLAYBANK JAMBOREE:				
	(a) Tourism and Travel Promo- tion Program .....			11,250
SOURCE OF FUNDS:				
	(1) State General Fund .....	11,250		
	Total Claybank Jamboree .....	11,250		11,250
27. CLIO CHITTLIN JAMBOREE:				
	(a) Tourism and Travel Promo- tion Program .....			3,750



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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) State General Fund .....	3,750			
Total Clio Chittlin Jamboree	3,750			3,750
28. COOSA-ALABAMA RIVER IMPROVEMENT ASSOCIATION:				
(a) Water Resource Development Program .....				22,500
SOURCE OF FUNDS:				
(1) State General Fund .....	22,500			
Total Coosa-Alabama River Improvement Association .....	22,500			22,500
29. COOSA RIVER ACTION COUNCIL-GADSDEN:				
(a) Water Resource Development Program .....				4,667
SOURCE OF FUNDS:				
(1) State General Fund .....	4,667			
Total Coosa River Action Council-Gadsden .....	4,667			4,667
30. CULTURE IN BLACK AND WHITE:				
(a) Historical Resources Manage- ment Program .....				1,125
SOURCE OF FUNDS:				
(1) State General Fund .....	1,125			
Total Culture in Black and White .....	1,125			1,125
31. DEEP SEA FISHING RODEO, ALABAMA:				
(a) Tourism and Travel Promo- tion Program .....				702
SOURCE OF FUNDS:				
(1) State General Fund .....	702			
Total Alabama Deep Sea Fish- ing Rodeo .....	702			702

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
32.	DORSE RECREATIONAL AND EDUCATIONAL CENTER, MARY E.:			
	(a) Special Services Program .....			2,729
	SOURCE OF FUNDS:			
	(1) State General Fund .....	2,729		
	Total Mary E. Dorse Recrea- tional and Educational Center .....	2,729		2,729
33.	DOTHAN LANDMARKS FOUNDATION, INC.:			
	(a) Historical Resources Manage- ment Program .....			22,970
	SOURCE OF FUNDS:			
	(1) State General Fund .....	22,970		
	Total Dothan Landmarks Foundation, Inc. ....	22,970		22,970
34.	DYNNE CREEK WATERSHED CONSERVANCY DISTRICT:			
	(a) Water Resource Development Program .....			1,050
	SOURCE OF FUNDS:			
	(1) State General Fund .....	1,050		
	Total Dynne Creek Watershed Conservancy District .....	1,050		1,050
35.	ELYTON RECOVERY CENTER:			
	(a) Community Services Program .....			56,250
	SOURCE OF FUNDS:			
	(1) State General Fund .....	56,250		
	Total Elyton Recovery Center .....	56,250		56,250
36.	ENERGY BOARD, SOUTHERN STATES:			
	(a) Discovery and Development of Mineral, Energy and Water Resources, Geological Re- search and Topographic Map- ping Program .....			15,402

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
	(1) State General Fund .....	15,402		
Total Southern States Energy Board .....		15,402		15,402
37. EXPLORE CENTER, INC.:				
(a)	Educational Museum Services Program .....			15,750
SOURCE OF FUNDS:				
	(1) State General Fund .....	15,750		
Total Explore Center, Inc. ....		15,750		15,750
38. FINANCE, DEPARTMENT OF- RETIRED SENIOR VOLUNTEER PROGRAM:				
(a)	Special Services Program .....			315,650
The above appropriation to the Retired Senior Volunteer Pro- gram shall be distributed in the following manner:				
\$34,664 to the foster Grand- parent and Senior Compan- ions Programs and \$280,986 to the Retired Senior Volunteer Programs.				
SOURCE OF FUNDS:				
	(1) State General Fund .....	315,650		
Total Retired Senior Volunteer Program-Department of Finance .....		315,650		315,650
39. FOREST FESTIVAL, ALABAMA:				
(a)	Executive Administration Program .....			3,458
SOURCE OF FUNDS:				
	(1) State General Fund .....	3,458		
Total Alabama Forest Festival .....		3,458		3,458
40. GENEVA COUNTY TOMATO FESTIVAL:				
(a)	Tourism and Travel Promo- tion Program .....			3,750

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) State General Fund .....	3,750			
Total Geneva County Tomato Festival .....	3,750			3,750
41. GEORGE LINDSEY CELEBRITY BENEFIT, INC.:				
(a) Tourism and Travel Promo- tion Program .....				5,625
SOURCE OF FUNDS:				
(1) State General Fund .....	5,625			
Total George Lindsey Celeb- rity Benefit, Inc. ....	5,625			5,625
42. GULF SHORES TOURIST ASSOCIATION:				
(a) Tourism and Travel Promo- tion Program .....				7,125
SOURCE OF FUNDS:				
(1) State General Fund .....	7,125			
Total Gulf Shores Tourist Association .....	7,125			7,125
43. GUNTERSVILLE BOAT RACES:				
(a) Tourism and Travel Promo- tion Program .....				8,301
SOURCE OF FUNDS:				
(1) State General Fund .....	8,301			
Total Guntersville Boat Races .....	8,301			8,301
44. HANK WILLIAMS MEMORIAL ASSOCIATION- GEORGIANA:				
(a) Historical Resources Manage- ment Program .....				1,500
SOURCE OF FUNDS:				
(1) State General Fund .....	1,500			
Total Hank Williams Memo- rial Association-Georgiana .....	1,500			1,500

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
45.	HANK WILLIAMS, JIM OWEN SALUTES:			
	(a) Historical Resources Manage- ment Program .....			1,500
	SOURCE OF FUNDS:			
	(1) State General Fund .....	1,500		
	Total Jim Owen Salutes Hank Williams .....	1,500		1,500
46.	HELEN KELLER PROPERTY BOARD:			
	(a) Historical Resources Manage- ment Program .....			26,250
	Of the above appropriation, not more than \$10,000 shall be al- located to the Helen Keller Festival.			
	SOURCE OF FUNDS:			
	(1) State General Fund .....	26,250		
	Total Helen Keller Property Board .....	26,250		26,250
47.	HIGH TECHNOLOGY ECONOMIC DEVELOPMENT FOUNDATION, INC.:			
	(a) Industrial Development Program .....			18,750
	SOURCE OF FUNDS:			
	(1) State General Fund .....	18,750		
	Total High Technology Eco- nomic Development Founda- tion, Inc. ....	18,750		18,750
48.	INTERSTATE MINING COMMISSION:			
	(a) Planning Program .....			6,597
	SOURCE OF FUNDS:			
	(1) State General Fund .....	6,597		
	Total Interstate Mining Commission .....	6,597		6,597
49.	JESSE OWENS MEMORIAL PARK:			
	(a) Historical Resources Manage- ment Program .....			9,000

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
	(1) State General Fund .....	9,000		
	Total Jesse Owens Memorial Park .....	9,000		9,000
50.	JUNIOR MISS PAGEANT, INC., ALABAMA'S:			
	(a) Tourism and Travel Promo- tion Program .....			7,500
SOURCE OF FUNDS:				
	(1) State General Fund .....	7,500		
	Total Alabama's Junior Miss Pageant, Inc. ....	7,500		7,500
51.	JUNIOR MISS PAGEANT, INC., AMERICA'S:			
	(a) Tourism and Travel Promo- tion Program .....			37,500
SOURCE OF FUNDS:				
	(1) State General Fund .....	37,500		
	Total America's Junior Miss Pageant, Inc. ....	37,500		37,500
52.	KETCHEPEDRAKEE CREEK WATERSHED CONSERVANCY DISTRICT:			
	(a) Water Resource Development Program .....			1,050
SOURCE OF FUNDS:				
	(1) State General Fund .....	1,050		
	Total Ketchepedrakee Creek Watershed Conservancy District .....	1,050		1,050
53.	LAKE EUFAULA SUMMER SPECTACULAR:			
	(a) Tourism and Travel Promo- tion Program .....			4,202
SOURCE OF FUNDS:				
	(1) State General Fund .....	4,202		
	Total Lake Eufaula Summer Spectacular .....	4,202		4,202

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
54.	LEE COUNTY HISTORICAL SOCIETY AND MUSEUM:			
	(a) Historical Resources Manage- ment Program .....			3,750
	SOURCE OF FUNDS:			
	(1) State General Fund .....	3,750		
	Total Lee County Historical Society and Museum .....	3,750		3,750
55.	MALLARD FOX CREEK PORT AND INDUSTRIAL PARK:			
	(a) Industrial Development Program .....			375,000
	SOURCE OF FUNDS:			
	(1) State General Fund-Capi- tal Outlay .....	375,000		
	Total Mallard Fox Creek Port and Industrial Park .....	375,000		375,000
56.	MINING MUSEUM, ALABAMA:			
	(a) Historical Resources Manage- ment Program .....			18,750
	SOURCE OF FUNDS:			
	(1) State General Fund .....	18,750		
	Total Alabama Mining Museum .....	18,750		18,750
57.	MOBILE AREA MARDI GRAS ASSOCIATION:			
	(a) Tourism and Travel Promo- tion Program .....			2,100
	SOURCE OF FUNDS:			
	(1) State General Fund .....	2,100		
	Total Mobile Area Mardi Gras Association .....	2,100		2,100
58.	MOBILE CARNIVAL ASSOCIATION:			
	(a) Tourism and Travel Promo- tion Program .....			2,100

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
	(1) State General Fund .....	2,100		
Total Mobile Carnival Association .....		2,100		2,100
59.	MOUNTAIN LAKES TOURIST ASSOCIATION:			
	(a) Tourism and Travel Promo- tion Program .....			18,750
SOURCE OF FUNDS:				
	(1) State General Fund .....	18,750		
Total Mountain Lakes Tourist Association .....		18,750		18,750
60.	NOCCALULA FALLS:			
	(a) Tourism and Travel Promo- tion Program .....			7,500
SOURCE OF FUNDS:				
	(1) State General Fund .....	7,500		
Total Noccalula Falls .....		7,500		7,500
61.	OKTOBERFEST, INC. IN CULLMAN COUNTY:			
	(a) Tourism and Travel Promo- tion Program .....			3,750
SOURCE OF FUNDS:				
	(1) State General Fund .....	3,750		
Total Oktoberfest, Inc. in Cull- man County .....		3,750		3,750
62.	PARENTS ANONYMOUS OF ALABAMA:			
	(a) Social Services Program .....			56,250
SOURCE OF FUNDS:				
	(1) State General Fund .....	56,250		
Total Parents Anonymous of Alabama .....		56,250		56,250
63.	PEA RIVER HISTORICAL AND GENEALOGICAL SOCIETY:			
	(a) Historical Resources Manage- ment Program .....			7,500



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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
	(1) State General Fund .....	7,500		
	Total Pea River Historical and Genealogical Society .....	7,500		7,500
64.	PEA RIVER WATERSHED CONSERVANCY DISTRICT:			
(a)	Water Resource Development Program .....			8,550
SOURCE OF FUNDS:				
	(1) State General Fund .....	8,550		
	Total Pea River Watershed Conservancy District .....	8,550		8,550
65.	PEANUT FESTIVAL ASSOCIATION, INC., NATIONAL:			
(a)	Tourism and Travel Promo- tion Program .....			11,250
SOURCE OF FUNDS:				
	(1) State General Fund .....	11,250		
	Total National Peanut Festival Association, Inc. ....	11,250		11,250
66.	PIKE COUNTY PIONEER MUSEUM ASSOCIATION:			
(a)	Historical Resources Manage- ment Program .....			3,750
SOURCE OF FUNDS:				
	(1) State General Fund .....	3,750		
	Total Pike County Pioneer Museum Association .....	3,750		3,750
67.	POP WARNER NATIONAL ACADEMIC/FOOTBALL CHAMPIONSHIP BOWL:			
(a)	Tourism and Travel Promo- tion Program .....			11,250
SOURCE OF FUNDS:				
	(1) State General Fund .....	11,250		
	Total Pop Warner National Academic/Football Champi- onship Bowl .....	11,250		11,250

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
68.	RIVERBOAT COMMISSION, INC., MONTGOMERY:			
	(a) Tourism and Travel Promo- tion Program .....			11,250
	SOURCE OF FUNDS:			
	(1) State General Fund .....	11,250		
	Total Montgomery Riverboat Commission, Inc. ....	11,250		11,250
69.	RODEO ASSOCIATION, ALABAMA HIGH SCHOOL:			
	(a) Tourism and Travel Promo- tion Program .....			7,500
	SOURCE OF FUNDS:			
	(1) State General Fund .....	7,500		
	Total Alabama High School Rodeo Association .....	7,500		7,500
70.	SENIOR BOWL-MOBILE:			
	(a) Tourism and Travel Promo- tion Program .....			30,000
	SOURCE OF FUNDS:			
	(1) State General Fund .....	30,000		
	Total Senior Bowl Mobile .....	30,000		30,000
71.	SHELBY COUNTY HISTORICAL ASSOCIATION:			
	(a) Historical Resources Manage- ment Program .....			6,563
	SOURCE OF FUNDS:			
	(1) State General Fund .....	6,563		
	Total Shelby County Histori- cal Association .....	6,563		6,563
72.	SICKLE CELL EDUCATION PROGRAM:			
	(a) Jefferson County Sickle Cell/ Detection Committee, Inc. ....			205,500
	(b) Sickle Cell Disease Association of Gulf Coast, Alabama .....			142,125
	(c) Sickle Cell Foundation of Greater Montgomery, Inc. ....			61,125

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(d)	Southeast Alabama Sickle Cell Association .....			131,250
(e)	West Alabama Sickle Cell Foundation .....			5,625
SOURCE OF FUNDS:				
(1)	State General Fund .....	545,625		
	Total Sickle Cell Education Program .....	545,625		545,625
In addition to the above appropriation, there is hereby appropriated the amount of \$368,750 to be conditioned on the availability of funds in the State General Fund and upon the approval of the Governor. Such amounts will be distributed on a prorata basis to the above entities.				
73.	SIMPSON-MAY CEREBRAL PALSY CENTER:			
(a)	Financial Assistance Program .....			26,250
SOURCE OF FUNDS:				
(1)	State General Fund .....	26,250		
	Total Simpson-May Cerebral Palsy Center .....	26,250		26,250
74.	SOUTHERN CENTER FOR INTERNATIONAL STUDIES:			
(a)	Special Services Program .....			14,063
SOURCE OF FUNDS:				
(1)	State General Fund .....	14,063		
	Total Southern Center for International Studies .....	14,063		14,063
75.	SOUTHERN CHAMPIONSHIP CHARITY HORSE SHOW:			
(a)	Tourism and Travel Promotion Program .....			2,333
SOURCE OF FUNDS:				
(1)	State General Fund .....	2,333		
	Total Southern Championship Charity Horse Show .....	2,333		2,333

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
76.	ALABAMA SPORTS FESTIVAL:			
	(a) Tourism and Travel Promo- tion Program .....			23,250
	SOURCE OF FUNDS:			
	(1) State General Fund .....	23,250		
	Total Alabama Sports Festival .....	23,250		23,250
77.	ST. CLAIR COUNTY HISTORICAL SOCIETY:			
	(a) Historical Resources Manage- ment Program .....			3,750
	SOURCE OF FUNDS:			
	(1) State General Fund .....	3,750		
	Total St. Clair County Histor- ical Society .....	3,750		3,750
78.	STEER SHOW ASSOCIATION, ALABAMA STATE:			
	(a) Agricultural Development Services Program .....			11,250
	SOURCE OF FUNDS:			
	(1) State General Fund .....	11,250		
	Total Alabama State Steer Show Association .....	11,250		11,250
79.	STETSON HOEDOWN:			
	(a) Tourism and Travel Promo- tion Program .....			3,750
	SOURCE OF FUNDS:			
	(1) State General Fund .....	3,750		
	Total Stetson Hoedown .....	3,750		3,750
80.	TALLACOOSA HIGHLAND LAKES ASSOCIATION:			
	(a) Tourism and Travel Promo- tion Program .....			4,202
	SOURCE OF FUNDS:			
	(1) State General Fund .....	4,202		
	Total Tallacoosa Highland Lakes Association .....	4,202		4,202

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
81.	TALLASSEEHATCHIE CREEK WATERSHED CONSERVANCY DISTRICT:			
	(a) Water Resource Development Program .....			929
	SOURCE OF FUNDS:			
	(1) State General Fund .....	929		
	Total Tallassee hatchie Creek Watershed Conservancy District .....	929		929
82.	TENNESSEE RIVER VALLEY ASSOCIATION:			
	(a) Water Resource Development Program .....			6,531
	SOURCE OF FUNDS:			
	(1) State General Fund .....	6,531		
	Total Tennessee River Valley Association .....	6,531		6,531
83.	TENNESSEE VALLEY PUBLICITY AND IMPROVEMENT ASSOCIATION:			
	(a) Tourism and Travel Promo- tion Program .....			18,662
	SOURCE OF FUNDS:			
	(1) State General Fund .....	18,662		
	Total Tennessee Valley Public- ity and Improvement Association .....	18,662		18,662
84.	TERRAPIN CREEK WATERSHED CONSERVANCY DISTRICT:			
	(a) Water Resource Development Program .....			1,050
	SOURCE OF FUNDS:			
	(1) State General Fund .....	1,050		
	Total Terrapin Creek Wa- tershed Conservancy District .....	1,050		1,050

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
85.	TRAVEL COUNCIL, ALABAMA:			
	(a) Tourism and Travel Promo- tion Program .....			30,000
	SOURCE OF FUNDS:			
	(1) State General Fund .....	30,000		
	Total Alabama Travel Council .....	30,000		30,000
86.	VESTAVIA HILLS DOGWOOD FESTIVAL AND TRAIL:			
	(a) Tourism and Travel Promo- tion Program .....			1,125
	SOURCE OF FUNDS:			
	(1) State General Fund .....	1,125		
	Total Vestavia Hills Dogwood Festival and Trail .....	1,125		1,125
87.	VETERANS DAY COMMITTEE, NATIONAL:			
	(a) Historical Resources Manage- ment Program .....			3,269
	SOURCE OF FUNDS:			
	(1) State General Fund .....	3,269		
	Total National Veterans Day Committee .....	3,269		3,269
88.	VETERANS DAY COMMITTEE, ALABAMA:			
	(a) Historical Resources Manage- ment Program .....			933
	SOURCE OF FUNDS:			
	(1) State General Fund .....	933		
	Total Alabama Veterans Day Committee .....	933		933
89.	W. C. HANDY PROPERTY BOARD:			
	(a) Historical Resources Manage- ment Program .....			18,750
	SOURCE OF FUNDS:			
	(1) State General Fund .....	18,750		
	Total W. C. Handy Property Board .....	18,750		18,750

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
90.	WILKERSON CREEK WATERSHED DISTRICT:			
(a)	Water Resource Development Program .....			2,250
	SOURCE OF FUNDS:			
	(1) State General Fund .....	2,250		
	Total Wilkerson Creek Wa- tershed District .....	2,250		2,250
91.	Y.M.C.A. - CLEVELAND AVENUE BRANCH:			
(a)	Financial Assistance Program .....			3,750
	SOURCE OF FUNDS:			
	(1) State General Fund .....	3,750		
	Total Y.M.C.A. - Cleveland Avenue Branch .....	3,750		3,750
92.	Y.M.C.A. YOUTH LEGISLATURE:			
(a)	Special Services Program .....			11,250
	SOURCE OF FUNDS:			
	(1) State General Fund .....	11,250		
	Total Y.M.C.A. Youth Legislature .....	11,250		11,250
F.	DEBT SERVICE FUNDED FROM THE STATE GENERAL FUND:			
1.	General Obligation Capital Improvement Bonds, Series B, Estimated .....			982,500
	SOURCE OF FUNDS:			
	(1) State General Fund- Transfer .....	982,500		
	Total General Obligation Cap- ital Improvement Bonds, Se- ries B, Estimated .....	982,500		982,500
2.	General Obligation Coosa Waterway Bonds, Series A and B, Estimated .....			1,020,400

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1)	State General Fund- Transfer .....	1,020,400		
	Total General Obligation Coosa Waterway Bonds, Series A and B, Estimated .....	1,020,400		1,020,400
3.	General Obligation Docks Fa- cilities Bonds, Series A-C, Estimated .....			4,312,500
SOURCE OF FUNDS:				
(1)	State General Fund- Transfer .....	4,312,500		
	Total General Obligation Docks Facilities Bonds, Series A-C, Estimated .....	4,312,500		4,312,500
4.	Inland Waterway Improve- ment Bonds, Series A, Estimated .....			177,953
SOURCE OF FUNDS:				
(1)	State General Fund- Transfer .....	177,953		
	Total Inland Waterway Im- provement Bonds, Series A, Estimated .....	177,953		177,953
5.	Tennessee-Tombigbee Water- way Bonds, Series A and C-D, Estimated .....			3,631,073
SOURCE OF FUNDS:				
(1)	State General Fund- Transfer, Estimated .....	3,631,073		
	Pursuant to Constitu- tional Amendment No. 270 as provided in Act No. 248, 1967 Regular Session .....			
	Total Tennessee-Tombigbee Waterway Bonds, Series A and C-D, Estimated .....	3,631,073		3,631,073
6.	Corrections Institution Bonds, Estimated .....			1,962,000
SOURCE OF FUNDS:				
(1)	State General Fund- Transfer, Estimated .....	1,962,000		



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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
Pursuant to Constitu- tional Amendment No. 374 as provided in Act No. 134, 1978 Second Special Ses- sion.			
<hr/>			
Total Corrections Institution Bonds, Estimated .....	1,962,000		1,962,000
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7. General Obligation Capital- Bonds, 1982, Series A and B, and General Obligation Re- funding Bonds, 1983, Series A and B Estimated .....			66,663,662
SOURCE OF FUNDS:			
(1) State General Fund- Transfer .....	66,663,662		
<hr/>			
Total General Obligation Cap- ital Bonds, 1982, Series A and B, and General Obligation Re- funding Bonds, 1983, Series A and B Estimated .....	66,663,662		66,663,662

SECTION 3: That, except as may be herein otherwise provided, amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except as may be provided for under Sections 5 and 6 of this bill, as provided in the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975, and those appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Sections 41-4-80 et seq., Code of Alabama 1975, as amended, and the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975.

SECTION 4. That any surplus remaining in any appropriation herein made from the State General Fund to any office, department, bureau, board, commission or agency may be transferred, on order of the Governor, to any other appropriation herein made from the State General Fund when such appropriation to any office, department, bureau, board, commission, or agency is insufficient to pay salaries in that office, department, bureau, board, commission or agency.

SECTION 5. In addition to appropriations herein made, all gifts, grants, contributions, appropriations, entitlements or any other funds, in excess of the amount carried in the bill, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be

made. Further, all state, county, municipal and educational entities are authorized to disburse such sums as deemed necessary by mutual agreement between said entities and the State of Alabama, Department of Examiners of Public Accounts to partially defray the cost of auditing services performed by said agency. All such sums are hereby appropriated and reappropriated if necessary to the Department of Examiners of Public Accounts for audit services, to be expended through the fund established by Section 41-5-24, Code of Alabama 1975.

SECTION 6. Under the State and Local Fiscal Assistance Act of 1972, as amended, Public Law 92-512, 92nd Congress, any interest earned by the State thereon, together with any accruals or reversions accruing from Revenue Sharing Investments are hereby appropriated for General Government to be spent at the discretion of the Governor.

SECTION 7. All encumbered balances of a previous fiscal year appropriation other than the exclusions authorized in Section 41-4-93, Code of Alabama 1975, shall lapse on September 30 of the fiscal year immediately following the fiscal year for which the appropriation was made and shall revert to the credit of the State General Fund or the trust fund from which the appropriation or appropriations were made.

SECTION 8. That, if any section, paragraph, sentence, clause, provision, or portion of the Act or all or any portion of any appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

SECTION 9. That all laws and parts of laws, general, special, private, or local in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

SECTION 10. That each Department of the State funded through the provisions of this budget shall provide an equal opportunity for employment and business opportunities for all citizens of this state without regard to sex or race.

SECTION 11. That this Act shall become effective October 1, 1986.

The Standing Committee on Finance and Taxation then reported the following amendment No. 3 to the committee substitute for the Bill, H. B. 166, to-wit:

#### **AMENDMENT NO. 3 TO COMMITTEE SUBSTITUTE FOR H. B. 166**

Amend Finance & Taxation Committee Substitute to H. B. 166, on Page 29, after Line 32, by inserting the following:

"In addition to the above appropriations made to the Department of Corrections, there is also hereby appropriated the sum of \$2,500,000 to be conditioned on the availability of funds in the State General Fund and upon the approval of the Governor."

Which was adopted.

The Standing Committee on Finance and Taxation then reported the following amendment No. 2 to the committee substitute, as amended, for the Bill, H. B. 166, to-wit:

**AMENDMENT NO. 2 TO COMMITTEE SUBSTITUTE,  
AS AMENDED, FOR H. B. 166**

Amend Finance & Taxation Committee Substitute to H. B. 166, on Page 27, by deleting Line 5 in its entirety and inserting in lieu thereof the following:

“Of the funds”

Further amend H. B. 166 on Page 27, Line 11, by inserting a “period” (.) after the word “construction” and striking the remainder of Line 11.

Further amend H. B. 166, on Page 27, by deleting Lines 12-14 in its entirety.

Senator Cabaniss moved that further consideration of the committee amendment No. 2 be postponed temporarily.

On motion of Senator Foshee, the motion to postpone was laid on the table.

Yeas 25; Nays 3.

Yeas:

Senators:	Denton	Hand	Parsons
Aldridge	Dial	Holmes	Sanders
Amari	Drinkard	Horn	Smith (B)
Barron	Ellis	Langford	Smith (J)
Bedford	Figures	Little	Strong
Covington	Foshee	Mitchem	Teague
deGraffenried	Goodwin		

—25

Nays:

Senators:	Bedsole	Cabaniss	Dixon	—3
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And said committee amendment No. 2 was then adopted.

The Standing Committee on Finance and Taxation then reported the following amendment No. 1 to the committee substitute, as amended, for the Bill, H. B. 166, to-wit:

**AMENDMENT NO. 1 TO COMMITTEE SUBSTITUTE, AS  
AMENDED, FOR H. B. 166**

Amend Finance & Taxation Committee Substitute to H. B. 166, on Page 36, Line 19, by striking out “\$121,670” after the word “Circuit...” and inserting in lieu thereof “\$127,403”

Further amend H. B. 166, on Page 34, Line 19, by striking out “\$10,564,558” and inserting in lieu thereof “\$10,570,291”,

Further amend H. B. 166, on Page 39, Lines 30 and 31, by striking out “\$10,564,558” and inserting in lieu thereof “\$10,570,291”

Which was adopted.

And said committee substitute, as amended, was then adopted.

Yeas 24; Nays 1.

*Yeas:*

Senators:	Covington	Foshee	Little
Aldridge	deGraffenried	Goodwin	Menton
Bailey	Denton	Hand	Mitchem
Barron	Dial	Holmes	Smith (B)
Bedsole	Dixon	Horn	Strong
Bennett	Drinkard	Langford	Teague
Bishop			

—24

*Nay:* Senator Smith (J) —1

Senator Bailey offered the following amendment to the Bill, H. B. 166, as amended, to-wit:

#### AMENDMENT TO H. B. 166, AS AMENDED

Amend House Bill 166 as substituted on page 23 after line 12, by inserting the following language:

“Of the above appropriation to the Outdoor Recreation Sites and Services Program, \$25,000 shall be allocated to the Dothan Landmarks Park.”

Which was adopted.

Yeas 18; Nays 4.

*Yeas:*

Senators:	Dial	Holmes	Smith (B)
Aldridge	Ellis	Little	Smith (J)
Bailey	Foshee	Mitchem	Strong
Bennett	Goodwin	Parsons	Teague
Denton	Hand	Sanders	

—18

*Nays:*

Senators:	Bedsole	Dixon	Horn
Amari			

—4

Senator Denton offered the following amendment to the Bill, H. B. 166, as amended, to-wit:

#### AMENDMENT TO H. B. 166, AS AMENDED

Amend H. B. 166 as substituted on page 21 on lines 8 and 20 by deleting the figure “610,625” and by inserting the figure “685,625”.

Further amend H. B. 166 as substituted on page 21 lines 16 and 20 by deleting the figure “358,125” and by inserting the figure “433,125”

Further amend H. B. 166 as substituted on page 65 lines 13, 24 and 26 by deleting the figure “238,750” and by inserting the figure “163,750”.

Which was adopted.

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Yeas 22; Nays 0.

*Yeas:*

Senators:	deGraffenried	Hand	Mitchem	
Aldridge	Denton	Holmes	Parsons	
Amari	Dial	Horn	Smith (B)	
Bailey	Dixon	Langford	Smith (J)	
Bennett	Ellis	Little	Strong	
Covington	Foshee	Menton		—22

*Nays:* —0

Senator Strong offered the following amendment to the Bill, H. B. 166, as amended, to-wit:

**AMENDMENT TO H. B. 166, AS AMENDED**

Amend H. B. 166, on page 68 after Line 27 by adding the following:

“(g) Special Community Mental  
Health Services Program ..... 50,000

The above appropriation shall be distributed as follows:

West Alabama Community Mental Health Center, \$30,000; Southwest Alabama Community Mental Health Center, \$20,000.”

Further amend on page 68, line 27 by deleting the figure “26,904,054” and inserting in lieu thereof the figure “26,854,054”.

On motion of Senator Barron, said amendment was laid on the table.

Yeas 13; Nays 8.

*Yeas:*

Senators:	Bennett	Goodwin	Little	
Amari	Cabaniss	Hand	Menton	
Barron	Denton	Langford	Smith (B)	
Bedsole	Dixon			—13

*Nays:*

Senators:	Holmes	Sanders	Strong	
deGraffenried	Mitchem	Smith (J)	Teague	
Dial				—8

Senator Holmes offered the following amendment to the Bill, H. B. 166, as amended, to-wit:

**AMENDMENT TO H. B. 166, AS AMENDED**

Amendment to H. B. 166 as substituted amend H. B. 166 on page 34 line 19 and page 39 lines 30 and 31 by striking the figure “10,570,291” and inserting in lieu thereof the figure “10,582,791”

Further amend on page 35 line 28 by striking the figure “210,219” and inserting in lieu thereof the figure “222,719”.

Further amend on page 110 lines 29, 31, and 33 by striking the figure “1,899,717” and inserting in lieu thereof the figure “1,887,217”

Which was adopted.

Yeas 24; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Mitchem	
Amari	Denton	Hand	Sanders	
Bailey	Dial	Holmes	Smith (B)	
Barron	Dixon	Langford	Smith (J)	
Bedsole	Ellis	Little	Strong	
Bennett	Foshee	Menton	Teague	
Covington				—24

*Nays:* —0

Senator Dial offered the following amendment to the Bill, H. B. 166, as amended, to-wit:

### AMENDMENT TO H. B. 166, AS AMENDED

Amendment to H. B. 166 as substituted amend H. B. 166 on page 141 after line 17 by inserting the following:

"93. VETERANS MONUMENT		
COMMITTEE .....		25,000
SOURCE OF FUNDS:		
State General Fund .....	25,000	
Total Veterans Monument		
Committee .....	25,000	25,000
(The above appropriated funds are to be used only after being matched by funds from the Veterans Monument Committee).		

Further amend on page 4 line 22 and page 5 line 13 by striking the figure "1,361,259" and inserting in lieu thereof the figure "1,336,259"

Further amend on page 5 line 6 by striking the figure "1,261,259" and inserting in lieu thereof the figure "1,236,259"

Which was adopted.

Yeas 24; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Mitchem	
Amari	Dial	Hand	Parsons	
Barron	Dixon	Holmes	Sanders	
Bennett	Drinkard	Langford	Smith (B)	
Cabaniss	Ellis	Little	Smith (J)	
Covington	Foshee	Menton	Teague	
deGraffenried				—24

*Nays:* —0

Senator Langford offered the following amendment to the Bill, H. B. 166, as amended, to-wit:

**AMENDMENT TO H. B. 166, AS AMENDED**

Amend H. B. 166 as substituted on page 71 by deleting on lines 26-28 the following: "\$3.5 million from the Department of Pensions and Security".

Amend H. B. 166 as substituted on page 77 line 28 by deleting the figure "254,454,643" and inserting in lieu thereof the figure "250,954,643".

Further amend on page 78, line 33 by deleting the figure "175,051,417" and inserting in lieu thereof the figure "171,551,417".

Further amend on page 79 by deleting lines 19-30 in their entirety.

Further amend on page 78 after line 33 by inserting the following line and renumbering all subsequent lines accordingly:

"(2) Federal, Local and Miscellaneous Funds-Transfer to the Department of Mental Health .....	3,500,000"
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Further amend on page 78 after line 7 by inserting the following:

"(c) Transfer to Department of Mental Health and Mental Retardation .....	3,500,000"
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Further amend on page 68 line 15 by striking the figure "79,396,803" and by inserting the figure "81,146,803" and on page 68 line 18 by striking the figure "62,880,751" and by inserting the figure "64,630,751".

Further amend on page 71 line 18 by striking the figures "158,832,072" and "200,015,072" and by inserting in lieu thereof the figures "162,332,072" and "203,515,072" respectively.

Which was adopted.

Yeas 23, Nays 3.

Abstaining 1.

Yeas:

Senators:	Covington	Goodwin	Parsons
Aldridge	deGraffenried	Hand	Sanders
Amari	Dial	Holmes	Smith (B)
Bedsole	Dixon	Horn	Smith (J)
Cabaniss	Drinkard	Langford	Strong
Cooley	Figures	Menton	Teague

*Nays:*

Senators:	Barron	Bedford	Bennett	—3
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<i>Abstaining:</i> Senator Little	—1
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Senator Dixon offered the following amendment to the Bill, H. B. 166, as amended, to-wit:

**AMENDMENT TO H. B. 166, AS AMENDED**

Amend H. B. 166 as substituted on page 65 by deleting lines 12-26 in their entirety and renumbering all subsequent sections accordingly.

Further amend on page 100, lines 25 & 32 by deleting the figure "718,172" and inserting in lieu thereof the figure "790,047".

Further amend on page 100, lines 17 & 32 by deleting the figure "3,050,740" and inserting in lieu thereof the figure "3,122,615".

Further amend on page 48, line 32 and on page 49, line 14 by deleting the figure "2,190,870" and inserting in lieu thereof the figure "2,210,870".

Further amend on page 49, lines 11 & 14 by deleting the figure "1,634,738" and inserting in lieu thereof the figure "1,654,738".

Amend House Bill 166 as substituted and amended on page 72, line 7 by deleting the figure "5,491,250" and inserting in lieu thereof the figure "5,563,125".

Further amend House Bill 166 as substituted and amended on page 72, line 19, by deleting the figure "1,435,545" and inserting in lieu thereof the figure "1,465,977".

Further amend House Bill 166 as substituted and amended on page 73, line 10, by deleting the figure "2,296,094" and inserting in lieu thereof the figure "2,337,537".

Further amend House Bill 166 as substituted and amended on page 73, line 15 by deleting the figures "5,941,250" and "5,941,250" and inserting in lieu thereof the figures "6,013,125" and "6,013,125".

Further amend House Bill 166 as substituted and amended on page 73 line 19, by deleting the figure "4,042,189", and inserting in lieu thereof the figure "4,083,632".

Further amend House Bill 166 as substituted and amended on page 73, line 22, by deleting the figure "2,296,094" and inserting in lieu thereof the figure "2,337,537".

Further amend House Bill 166 as substituted and amended on page 74, line 23, by deleting the figures "4,042,189" and inserting in lieu thereof the figures "4,083,632".

Which was adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Goodwin	Little	
Aldridge	Cooley	Hand	Sanders	
Amari	Covington	Holmes	Smith (B)	
Barron	Dixon	Horn	Strong	
Bennett	Drinkard	Langford		—18

*Nays:*

—0



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Senator Aldridge offered the following amendment to the Bill, H. B. 166, as amended, to-wit:

**AMENDMENT TO H. B. 166, AS AMENDED**

Amendment to H. B. 166 as substituted amend H. B. 166 on page 21 line 30 by striking the figure "270,000" and inserting in lieu thereof the figure "395,000".

Further amend on page 22 by deleting lines 14 and 15 and inserting in lieu thereof the following:

"(2) State General Fund .....	125,000		
<hr/>			
Total Child Abuse and Neglect Prevention Board .....	125,000	270,000	395,000"

Further amend on page 107 line 34 and page 108 lines 6 and 7 by striking the figure "1,000,000" and inserting in lieu thereof the figure "875,000".

Which was adopted.

Yeas 24; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Mitchem
Aldridge	deGraffenried	Hand	Sanders
Amari	Dial	Holmes	Smith (B)
Bailey	Dixon	Horn	Smith (J)
Bedsole	Drinkard	Langford	Strong
Bennett	Figures	Little	Teague
Cooley			—24

*Nays:* —0

Senator Covington offered the following amendment to the Bill, H. B. 166, as amended, to-wit:

**AMENDMENT TO H. B. 166, AS AMENDED**

Amend H. B. 166 as substituted on page 23 after Line 12 by adding the following:

"of this amount, \$50,000 shall be transferred to Dale County for rural park facilities."

Which was adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Mitchem
Aldridge	Dial	Goodwin	Sanders
Bailey	Dixon	Hand	Smith (B)
Barron	Drinkard	Horn	Smith (J)
Bedsole	Figures	Little	Strong
Cooley			—20

*Nays:* —0

Senator Hand offered the following amendment to the Bill, H. B. 166, as amended, to-wit:

### AMENDMENT TO H. B. 166, AS AMENDED

Amend House Bill No. 166 Page 59 Line 14 Strike 124,150 & insert 129,150, Line 12 strike 130,411 & insert 135,411, Line 18 strike 124,150 & 6,261 & 130,411 and insert 129,150 & 6,261 & 135,411

Page 61 Line 28 strike 128,925 & insert 123,925

Page 62 Line 11 strike 128,925 & insert 123,925, Line 13 strike 128,925 & 128,925 & insert 123,925 & 123,925

Which was adopted.

Yeas 24; Nays 0.

*Yeas:*

Senators:	Covington	Figures	Little
Bailey	Denton	Foshee	Sanders
Barron	Dial	Goodwin	Smith (B)
Bedford	Dixon	Hand	Smith (J)
Bedsole	Drinkard	Horn	Strong
Bennett	Ellis	Langford	Teague
Cabaniss			

—24

*Nays:*

—0

Senator Sanders offered the following amendment to the Bill, H. B. 166, as amended, to-wit:

### AMENDMENT TO H. B. 166, AS AMENDED

Amend H. B. 166 as substituted on page 77, after line 34 by adding the following sentence:

“It is the intent of the Legislature that the Department of Pensions and Security shall continue day care services in the fiscal year ending September 30, 1987 at not less than the level provided in the fiscal year ending September 30, 1986.”

Which was adopted.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Cabaniss	Hand	Sanders
Bailey	Dial	Holmes	Smith (B)
Barron	Drinkard	Horn	Smith (J)
Bedford	Figures	Langford	Strong
Bedsole	Foshee	Little	Teague
Bennett	Goodwin	Mitchem	

—22

*Nays:*

—0

Senator Strong offered the following amendment No. 2 to the Bill, H. B. 166, as amended, to-wit:

### AMENDMENT NO. 2 TO H. B. 166, AS AMENDED

Amend H. B. 166 as substituted on page 141 after Line 17 by adding the following:

“93. CLARK COUNTY YOUTH  
FACILITY

(a) Special Services Program ..... 20,000

SOURCE OF FUNDS:

(1) State General Fund ..... 20,000

Total Clark County Youth  
Facility ..... 20,000 20,000”

Amend H. B. 166 as substituted on page 141 after Line 17 by adding the following:

“94. CHRISTMAS ON THE RIVER-  
DEMOPOLIS

(a) Tourism and Travel Promo-  
tion Program ..... 5,000

SOURCE OF FUNDS:

(1) State General Fund ..... 5,000

Total Christmas on the River-  
Demopolis ..... 5,000 5,000”

Amend H. B. 166 as substituted on page 130 Lines 10, 12, and 14 by striking the figure “37,500” and inserting in lieu thereof the figure “50,000”.

Further amend on page 110, lines 29, 31 and 33 by deleting the current figure and inserting in lieu thereof the figure “1,862,217”.

Which was adopted.

Yeas 20; Nays 0.

Yeas:

Senators:	Covington	Foshee	Mitchem	
Bailey	Denton	Goodwin	Smith (B)	
Bedford	Dial	Horn	Smith (J)	
Bedsole	Ellis	Langford	Strong	
Cabaniss	Figures	Little	Teague	
Cooley				—20

Nays: —0

Senator Strong then offered the following amendment No. 3 to the Bill, H. B. 166, as amended, to-wit:

**AMENDMENT NO. 3 TO H. B. 166, AS AMENDED**

Amend H. B. 166 as substituted on page 68 after Line 27 by adding the following:

“(g) Special Community Mental  
Health Services Program ..... 50,000  
West Alabama Community  
Mental Health Center, \$30,000;  
Southwest Alabama Commu-  
nity Mental Health Center,  
\$20,000”

Further amend on page 71 Lines 10 and 18 by striking the figure "41,183,000" and inserting in lieu thereof the figure "41,233,000".

Further amend on page 71 Line 18 by striking the figure "200,015,072" and inserting in lieu thereof the figure "200,065,072".

Further amend the substitute to H. B. 166 on page 107, line 34 by striking the figure "875,000" and inserting in lieu thereof the figure "825,000".

Further amend on page 108 lines 6 and 7 by striking the figure "875,000" and inserting in lieu thereof the figure "825,000".

### AMENDMENT TO H. B. 166 AS SUBSTITUTED

Amend H. B. 166 as substituted on page 71 after Line 33 by adding the following:

"In addition to the above appropriation to the Dept. of Mental Health there is hereby appropriated \$30,000 to The West Alabama Community Mental Health Center and \$20,000 to The Southwest Alabama Community Mental Health Center to be conditioned upon the availability of funds in The State General Fund and the approval of the Governor."

Which was adopted.

Yeas 19; Nays 0.

Yeas:

Senators:	Cooley	Hilliard	Mitchem	
Bailey	Ellis	Holmes	Smith (B)	
Bedsole	Figures	Horn	Smith (J)	
Bennett	Foshee	Langford	Strong	
Cabaniss	Goodwin	Little	Teague	—19

Nays: —0

Senator Cabaniss offered the following amendment to the Bill, H. B. 166, as amended, to-wit:

### AMENDMENT TO H. B. 166, AS AMENDED

Amend House Bill 166 as substituted on page 116 after line 32 by inserting the following:

"40. Alabama Trust Fund .....	26,025,000
SOURCE OF FUNDS:	
(1) Revenue Sharing Trust Fund-Legislature (Fund #305708)-Transfer .....	11,933,333
(2) Revenue Sharing 1976 (Fund #305735)-Transfer .....	14,091,667
Total Alabama Trust Fund ....	26,025,000 26,025,000

(It is the intent of the Legislature that the above mentioned revenue sharing funds received by the State under the State and Local Fiscal Assistance Act

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of 1972, Public Law 92-512, 92nd Congress, 1972 and which were previously appropriated to the Highway Department and deposited in the above mentioned funds, but which are unexpended upon the passage of this act shall be transferred to the Alabama Trust Fund.)”

Further amend House Bill 166 on page 144 by deleting Section 6 in its entirety and renumbering the remaining sections accordingly.

Further amend H. B. 166 on page 69 line 32 after the word “area” by inserting the following:

“(g) Ireland Developmental Center .....	7,500,000
(It is the intention of the Legislature that any funds needed to operate said center for the complete year shall be so used and any excess funds may be spent at the discretion of the Department.)	

Further amend H. B. 166 on page 71 after line 15 by inserting the following:

“(6) Revenue Sharing 1976 (Fund #305735)-Transfer .....	7,500,000”
--	------------

Further amend on page 71 line 18 by striking the figures “162,332,072” and “203,515,072” and by inserting in lieu thereof the figures “169,832,072” and “211,015,072” respectively.

Further amend on page 71 after line 18 by inserting the following:

(It is the intent of the Legislature that the above mentioned revenue sharing funds received by the State under the State and Local Fiscal Assistance Act of 1972, Public Law 92-512, 92nd Congress, 1972 and which were previously appropriated to the Highway Department and deposited in the above mentioned funds, but which are unexpended upon the passage of this act shall be transferred to the Department of Mental Health and Mental Retardation.)”

**MESSAGE FROM THE HOUSE**

Mr. President Pro Tem:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 169. AMENDING THE JOINT RULES OF THE TWO HOUSES.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF RESOLUTIONS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the

foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 19. To authorize the Etowah County Board of Health to designate the services rendered by the Etowah County Health Department for which a reasonable fee may be charged and to set and collect fees for each service.

Also:

H. 109. To provide for the total county salary supplement for the district judge of the 22nd Judicial Circuit; and to repeal conflicting laws.

Also:

H. 110. Relating to Covington County; to require the installation and maintenance of an improved system of indexing documents affecting the title to property and other documents recorded in the office of the Judge of Probate; to provide the collection and disposition of a special indexing fee; and to provide that said system shall constitute official and permanent records in Covington County.

Also:

H. 320. Relating to the Second Judicial Circuit; the District Attorney shall have the authority to have the investigator and other employees of his office to assist him in the presence of the grand jury except when said jury is deliberating.

Also:

H. 321. To amend Act No. 185, S. 91, 1975 Regular Session, which provides for an expense allowance for the circuit court reporter of the Second Judicial Circuit, so as to provide further for said expense allowance.

Also:

H. 656. Relating to Clarke County; providing for the appointment of the county superintendent of education; providing for a referendum on the question of whether the electors of the county favor the appointment of the county superintendent of education.

Also:

H. 659. To authorize the Tallapoosa County Board of Health to designate the services rendered by the Tallapoosa County Health Department for which a reasonable fee may be charged; to provide that the Tallapoosa County Board of Health shall be required to set a maximum fee for each service; to provide that the Tallapoosa County Health Department may charge and collect such fees; to provide that no citizen shall be deprived of any service because that person is unable to pay; and to provide for the allocation of all fees collected.

Also:

H. 691. Relating to Conecuh County; to provide for a special recording fee on documents filed in the office of the judge of probate; and to prescribe the use thereof.

Also:

H. 692. Relating to Chambers County; to authorize Chambers County to grant county ad valorem taxes exemptions, including real estate, equipment and supplies for up to five years to any manufacturing firm or facility; to provide that the tax exemption herein shall not affect taxes other than county ad valorem taxes; to provide for the county tax assessor to develop the necessary criteria to issue said exemptions subject to the approval of the Chambers County Commission; and to provide for the procedures to be followed in the granting of such exemptions.

Also:

H. 698. Relating to Washington County; providing a certain increase in compensation for the supernumerary tax collector in said county.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### FURTHER CONSIDERATION OF H. B. 166, AS AMENDED

The Senate proceeded to further consideration of the Bill, H. B. 166, as amended. The question was on the amendment offered by Senator Cabaniss.

On motion of Senator Barron, said amendment was laid on the table.

Yeas 16; Nays 6.

*Yeas:*

Senators:	Dial	Foshee	Langford
Bailey	Dixon	Goodwin	Mitchem
Barron	Drinkard	Hand	Smith (J)
Cooley	Ellis	Holmes	Strong
Denton			

—16

*Nays:*

Senators:	Bedsole	Hilliard	Parsons
Amari	Cabaniss	Horn	

—6

Senators Cabaniss and Bennett offered the following amendment to the Bill, H. B. 166, as amended, to-wit:

### AMENDMENT TO H. B. 166, AS AMENDED

Amend H. B. 166 as substituted on page 71 after line 33 by adding the following:

“In addition to the above appropriation to the Department of Mental Health there is hereby appropriated \$7,500,000 for the Ireland Developmental

Center to be conditioned upon the availability of funds and the approval of the Governor.”

Which was adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Bishop	Dial	Horn	
Amari	Cabaniss	Dixon	Langford	
Bailey	Cooley	Ellis	Little	
Barron	deGraffenried	Figures	Smith (J)	
Bedsole	Denton	Goodwin	Teague	
Bennett				—20

*Nays:* —0

Senator Bennett offered the following amendment to the Bill, H. B. 166, as amended, to-wit:

#### AMENDMENT TO H. B. 166, AS AMENDED

Amendment to H. B. 166 as substituted amend H. B. 166 on page 70 after line 13 by adding the following:

“It is the intent of the Legislature that in the event that there is a reduction in funds appropriated to the Regional Mental Retardation Centers, such reduction will apply statewide to all Mental Retardation Centers so that no one center will be closed.”

Which was adopted.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Bishop	Drinkard	Langford	
Amari	Cabaniss	Ellis	Little	
Bailey	Cooley	Figures	Parsons	
Barron	deGraffenried	Goodwin	Smith (J)	
Bedsole	Dial	Hilliard	Teague	
Bennett	Dixon	Horn		—22

*Nays:* —0

Senator Cooley offered the following amendment to the Bill, H. B. 166, as amended, to-wit:

#### AMENDMENT TO H. B. 166, AS AMENDED

I move to amend House Bill No. 166 as last substituted Page 23, after Line 12, by inserting the following:

“Of the above appropriation to the Department’s Outdoor Recreation Sites and Services Program the sum of \$90,000.00 shall be allocated to the City of Guntersville for Park Capital improvements.”

Also on page 26 after line 32 insert the following language:

“In addition to the above appropriation to the Department of Conservation and Natural Resources there is hereby appropriated the amount of



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\$50,000.00 to the City of Guntersville for Park Capital improvements, to be conditioned upon the availability of funds in the State General Fund and upon the approval of the Governor."

Which was adopted.

Yeas 16; Nays 3.

Yeas:

Senators:	Denton	Figures	Little	
Bailey	Dial	Goodwin	Parsons	
Bishop	Drinkard	Horn	Smith (J)	
Cooley	Ellis	Langford	Teague	
deGraffenried				—16

Nays:

Senators:	Barron	Bedsole	Dixon	—3
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Senator Figures offered the following amendment to the Bill, H. B. 166, as amended, to-wit:

**AMENDMENT TO H. B. 166, AS AMENDED**

Amendment to H. B. 166 as substituted amend H. B. 166 on page 12 after line 16 by inserting the following:

(f) Land Assistance Program ..... 75,000

Further amend on page 12 line 25 and page 13 line 23 by striking the figure "7,474,880" and inserting in lieu thereof the figure "7,549,880".

Further amend on page 13 line 23 by striking the figure "18,004,091" and inserting in lieu thereof the figure "18,079,091".

Further amend on page 61 after line 8 by adding the following:

"The Progressive League of  
Mobile" ..... 7,500"

Further amend on page 60 line 12 by striking "727,955" and inserting in lieu thereof "735,455".

Further amend on page 61 line 26 by striking the figures "952,955" and "1,491,048" and inserting in lieu thereof "960,455" and "1,498,548".

Further amend on page 59 line 30 by deleting the figure "1,266,048" and inserting in lieu thereof the figure "1,273,548".

Further amend on page 40 after line 30 by inserting the following:

"(j) Mobile Community Action,  
Inc. .... 12,500"

Further amend on page 41 Line 21 by striking the figures "5,428,941" and "144,347,337" and inserting in lieu thereof the figures "5,441,441" and "144,359,837" respectively.

Further amend on page 41 Line 10 by striking the figure "5,428,941" and inserting in lieu thereof the figure "5,441,441".

Further amend on page 107 line 34 and page 108 lines 6 and 7 by striking the figure "875,000" and inserting in lieu thereof the figure "780,000".

Which was adopted.

Yeas 19; Nays 0.

Yeas:

Senators:	Denton	Foshee	Little	
Bailey	Dixon	Goodwin	Mitchem	
Bishop	Drinkard	Hilliard	Parsons	
Cooley	Ellis	Horn	Smith (J)	
deGraffenried	Figures	Langford	Teague	—19

Nays: —0

Senator Teague offered the following amendment to the Bill, H. B. 166, as amended, to-wit:

### AMENDMENT TO H. B. 166, AS AMENDED

Amend H. B. 166, as amended,

On page 4 line 22 and on page 5 line 13 strike out "1,361,259" and insert in lieu thereof "1,019,859", and on page 5, line 6 strike out "1,261,259" and insert in lieu thereof "919,859".

Amend H. B. 166 as amended, section 2 C, page 34 thru 39 by deleting section 33 in its entirety and inserting in lieu thereof the following:

33. (a) Court Operations Program .....	10,860,958
The proposed spending plan included in the above total is as follows:	
Salaries of District Attorneys	2,118,337
Salary of elected Deputy District Attorney of the Bessemer Division of the 10th Judicial Circuit .....	52,695
For the use of the elected Deputy District Attorney of the Bessemer Division of the 10th Judicial Circuit .....	129,413
Salaries and expenses of Supernumerary District Attorneys .....	852,166
For use in the District Attorney's Office of the 1st Judicial Circuit .....	114,310
For use in the District Attorney's Office of the 2nd Judicial Circuit .....	100,705
For use in the District Attorney's Office of the 3rd Judicial Circuit .....	169,487

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For use in the District Attorney's Office of the 4th Judicial Circuit .....	396,955
For use in the District Attorney's Office of the 5th Judicial Circuit .....	343,016
For use in the District Attorney's Office of the 6th Judicial Circuit .....	282,334
For use in the District Attorney's Office of the 7th Judicial Circuit .....	220,125
For use in the District Attorney's Office of the 8th Judicial Circuit .....	172,124
For use in the District Attorney's Office of the 9th Judicial Circuit .....	137,632
For use in the District Attorney's Office of the 10th Judicial Circuit .....	432,465
For use in the District Attorney's Office of the 11th Judicial Circuit .....	122,902
For use in the District Attorney's Office of the 12th Judicial Circuit .....	263,092
For use in the District Attorney's office of the 13th Judicial Circuit .....	407,889
For use in the District Attorney's Office of the 14th Judicial Circuit .....	127,403
For use in the District Attorney's Office of the 15th Judicial Circuit .....	402,699
For use in the District Attorney's Office of the 16th Judicial Circuit .....	193,606
For use in the District Attorney's Office of the 17th Judicial Circuit .....	85,015
For use in the District Attorney's Office of the 18th Judicial Circuit .....	212,633
For use in the District Attorney's Office of the 19th Judicial Circuit .....	161,869

For use in the District Attorney's Office of the 20th Judicial Circuit .....	193,625
For use in the District Attorney's Office of the 21st Judicial Circuit .....	146,714
For use in the District Attorney's Office of the 22nd Judicial Circuit .....	127,578
For use in the District Attorney's Office of the 23rd Judicial Circuit .....	321,953
For use in the District Attorney's Office of the 24th Judicial Circuit .....	120,389
For use in the District Attorney's Office of the 25th Judicial Circuit .....	115,768
For use in the District Attorney's Office of the 26th Judicial Circuit .....	196,878
For use in the District Attorney's Office of the 27th Judicial Circuit .....	160,615
For use in the District Attorney's Office of the 28th Judicial Circuit .....	198,361
For use in the District Attorney's Office of the 29th Judicial Circuit .....	218,784
For use in the District Attorney's Office of the 30th Judicial Circuit .....	183,552
For use in the District Attorney's Office of the 31st Judicial Circuit .....	118,773
For use in the District Attorney's Office of the 32nd Judicial Circuit .....	153,552
For use in the District Attorney's Office of the 33rd Judicial Circuit .....	151,726
For use in the District Attorney's Office of the 34th Judicial Circuit .....	104,881
For use in the District Attorney's Office of the 35th Judicial Circuit .....	99,902

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For use in the District Attorney's Office of the 36th Judicial Circuit ..... 101,050

Which was adopted.

Yeas 15; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Little	
Amari	Denton	Goodwin	Mitchem	
Bailey	Dixon	Hilliard	Smith (J)	
Bedsole	Drinkard	Horn	Teague	—15

*Nays:* —0

Senator Little offered the following amendment to the Bill, H. B. 166, as amended, to-wit:

**AMENDMENT TO H. B. 166, AS AMENDED**

Amend sub as amended, to H. B. 166 Page 102 Line 18, by striking out said line in its entirety and in lieu thereof insert the following new line 18

“\$2,250,000 for capital outlay and architectural drafting for”

Which was adopted.

Yeas 12; Nays 0.

*Yeas:*

Senators:	Dixon	Hilliard	Menton	
Cooley	Drinkard	Horn	Smith (J)	
Denton	Goodwin	Little	Teague	
Dial				—12

*Nays:* —0

Senator Teague offered the following amendment No. 2 to the Bill, H. B. 166, as amended, to-wit:

**AMENDMENT NO. 2 TO H. B. 166, AS AMENDED**

Amend H. B. 166 as substituted on page 98 Lines 12 and 27 by deleting the figure “250,000” and inserting in lieu thereof the figure “750,000”

Further amend on pages 97 line 34 and page 98 Line 27 by deleting the figure “4,551,459” and inserting in lieu thereof the figure “5,051,459”.

Further amend on page 98 by deleting Lines 28 through 33 in their entirety.

Further amend on page 107 Line 34 by striking the figure “730,000” and inserting in lieu thereof the figure “230,000”.

Further amend on page 108 Lines 6 and 7 by striking the figure “875,000” and inserting in lieu thereof the figure “375,000”.

## MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 638. To amend Section 15 of Act No. 1606, H. 1891, 1971 Regular Session (Acts 1971, p. 2761), previously amended by Act No. 587, H. 1383, the Regular Session of the Alabama Legislature 1975, which act, as amended, creates in the City of Montgomery in connection with the regular organized and paid Fire Department of the City of Montgomery the Montgomery Fire Fighters Pension Fund, so as to authorize the trustees of the Montgomery Fire Fighters Pension Fund through a majority of the Board of Trustees the power to repeal, alter, amend, delete, or otherwise in their discretion change the benefits available pursuant to the Montgomery Fire Fighters Pension Fund but not authorizing said trustees to stop or in any way take away or alter benefits presently being received by any member of the fund, presently receiving benefits therefrom, and expressly repealing Sections 16, 17, 18, 19, and 24.

Also:

H. 649. Relating to the City of Montgomery in Montgomery County; to authorize the City of Montgomery to grant city ad valorem tax exemptions for up to fifteen (15) years to owner-developers who build new commercial or industrial facilities within the downtown business district as defined by the governing body of said city providing that such owner-developers receiving such exemptions shall, however, continue to pay city ad valorem property taxes on such property as was paid in the year preceding the improvement caused by the construction or development of the new commercial or industrial facility; to provide that the tax exemption herein shall not affect any taxes other than city ad valorem taxes; and to provide for the procedures to be followed in the granting of such exemptions.

Also:

H. 767. To authorize the governing body of Pike County, Alabama, to levy and collect special county privilege and license taxes, paralleling the state sales taxes provided for in Division 1 of Article 1 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, and special county excise taxes paralleling the state use taxes provided for in Article 2 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, upon approval of the electors of the county in an advisory referendum; to specify the rates at which such taxes may be levied; to provide for the ascertainment, collection, payment, and distribution and use of the proceeds of the said taxes by the Troy-Pike County Lake Authority for the Walnut Creek Lake Project if levied by the said governing body; to provide for the enforcement of this act by the State Department of Revenue; and to provide for an advisory referendum election to determine if a majority of the electors voting at said election favor authorizing the governing body to levy such taxes.

Also:

H. 799. To authorize the governing body of Tuscaloosa County, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Tuscaloosa County, on all taxable property situated within the special school tax district subject to the jurisdiction and control of the Tuscaloosa City

Board of Education, the special ad valorem tax for public school purposes which is authorized in Section 2 of Amendment No. 3 to the Constitution, to a maximum rate, for any tax year of the county, which, when added to the rate at which there is being levied and collected in the said special school tax district for such tax year a special ad valorem tax for educational purposes pursuant to Amendment No. 164 to the Constitution, does not exceed \$1.55 on each one hundred dollars (15.5 mills on each dollar) of assessed value.

Also:

H. 800. To propose an amendment to the Constitution of Alabama relating to the levy and collection of special property taxes for public school purposes in the Special School Tax District in Tuscaloosa County, Alabama, which is under the jurisdiction and control of the Tuscaloosa City Board of Education.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### FURTHER CONSIDERATION OF H. B. 166, AS AMENDED

The Senate proceeded to further consideration of the Bill, H. B. 166, as amended. The question was on the amendment No. 2 offered by Senator Teague.

On motion of Senator Teague, said amendment No. 2 was then adopted.

Yeas 21; Nays 1.

Yeas:

Senators:	deGraffenried	Goodwin	Menton
Bailey	Denton	Hand	Smith (B)
Bedsole	Dixon	Hilliard	Smith (J)
Bishop	Drinkard	Horn	Strong
Cabaniss	Ellis	Langford	Teague
Cooley	Foshee		

—21

Nay: Senator Barron —1

Senator Goodwin offered the following amendment to the Bill, H. B. 166, as amended, to-wit:

### AMENDMENT TO H. B. 166, AS AMENDED

Amend House Bill 166 on page 10, after line 10 by adding the following:

"In addition to the above appropriations there is hereby appropriated the amount of \$1,500,000 to be conditioned on the availability of funds in the State General Fund and upon approval of the Governor to be used for

airport development and distributed as follows or at the discretion of the Director of the Aeronautics Department:

Cullman	— 300,000
Alexander City	— 300,000
Reform	— 300,000
Selma	— 300,000
Jasper	— 300,000

Which was adopted.

Yeas 23; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Menton	
Bailey	Denton	Goodwin	Mitchem	
Barron	Dixon	Hand	Smith (B)	
Bishop	Drinkard	Holmes	Smith (J)	
Cabaniss	Ellis	Horn	Strong	
Cooley	Figures	Langford	Teague	—23

*Nays:* —0

Senator Goodwin then offered the following amendment No. 2 to the Bill, H. B. 166, as amended, to-wit:

#### AMENDMENT NO. 2 TO H. B. 166, AS AMENDED

Amend House Bill 166 as substituted on page 96, lines 17, 27 and 33 by striking the figure "1,029,681" and inserting in lieu thereof the figure "1,279,681";

Further amend House Bill 166 as substituted on page 96, line 33 by striking the figure "1,032,681" and insert in lieu thereof the figure "1,282,681".

Further amend H. B. 166 on page 110 lines 29, 31, and 33 by deleting the figure "1,849,717" and inserting in lieu thereof the figure "1,599,717".

Which was adopted.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Dixon	Holmes	Parsons	
Bailey	Drinkard	Horn	Smith (B)	
Barron	Ellis	Langford	Smith (J)	
Cooley	Foshee	Menton	Strong	
deGraffenried	Goodwin	Mitchem	Teague	
Denton	Hand			—21

*Nays:* —0



Senator Bailey offered the following amendment No. 2 to the Bill, H. B. 166, as amended, to-wit:

**AMENDMENT NO. 2 TO H. B. 166, AS AMENDED**

Amend House Bill 166 as substituted on page 94, after line 27, by inserting the following language:

"In addition, there is hereby appropriated to the Secretary of State the sum of \$175,000 to be conditioned upon the passage of Senate Bill 516 or House Bill 658 of the 1986 Regular Session, or upon the passage of similar legislation that creates the central filing system within the Office of the Secretary of State."

Which was adopted.

Yeas 23; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Menton	
Bailey	Denton	Hand	Mitchem	
Barron	Dixon	Holmes	Smith (B)	
Bennett	Drinkard	Horn	Smith (J)	
Cabaniss	Ellis	Langford	Strong	
Cooley	Foshee	Little	Teague	—23

*Nays:* —0

Senator Cooley offered the following amendment No. 2 to the Bill, H. B. 166, as amended, to-wit:

**AMENDMENT NO. 2 TO H. B. 166, AS AMENDED**

Amend F & T Substitute for House Bill 166 p. 7 after line 22 by adding the following:

In addition to the above appropriation, there is hereby appropriated \$2,500,000 to Court Operations and \$150,000 to the Administrative Services Program from the General Fund to be conditional on the availability of funds and the approval of the Governor.

Which was adopted.

Yeas 24; Nays 2.

*Yeas:*

Senators:	Dixon	Hand	Mitchem	
Bailey	Drinkard	Holmes	Parsons	
Barron	Ellis	Horn	Smith (B)	
Bennett	Figures	Langford	Smith (J)	
Cooley	Foshee	Little	Strong	
Denton	Goodwin	Menton	Teague	
Dial				—24

*Nays:*

Senators: Bedsole Cabaniss —2

Senator Menton offered the following amendment to the Bill, H. B. 166, as amended, to-wit:

**AMENDMENT TO H. B. 166, AS AMENDED**

Amend H. B. 166 as substituted on page 135 Lines 7, 9 and 10 by striking the figure "30,000" and inserting in lieu thereof the figure "50,000".

Further amend on page 107 Line 34 and on page 108 Lines 6 and 7 by striking the figure "230,000" and inserting in lieu thereof the figure "210,000".

Which was adopted.

Yeas 23; Nays 2.

*Yeas:*

Senators:	Dixon	Hand	Mitchem	
Bedsole	Drinkard	Holmes	Parsons	
Bishop	Ellis	Horn	Sanders	
Cooley	Figures	Langford	Smith (J)	
deGraffenried	Foshee	Little	Strong	
Denton	Goodwin	Menton	Teague	—23

*Nays:*

Senators:	Barron	Bennett	—2
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And said Bill, H. B. 166, as amended by the substitute, as amended, was read a third time at length and passed.

Yeas 31; Nays 2.

*Yeas:*

Senators:	Cabaniss	Figures	Menton	
Aldridge	Cooley	Foshee	Mitchem	
Amari	Covington	Goodwin	Parsons	
Bailey	deGraffenried	Hand	Sanders	
Barron	Denton	Holmes	Smith (B)	
Bedford	Dial	Horn	Smith (J)	
Bennett	Drinkard	Langford	Strong	
Bishop	Ellis	Little	Teague	—31

*Nays:*

Senators:	Bedsole	Dixon	—2
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### BILLS ON THIRD READING RESUMED

Senator Bailey requested and received permission to suspend the Rules in order to bring up the Bill:

S. 433. To amend Sections 9-11-55 and 9-11-56, Code of Alabama 1975, as last amended by Act No. 84-446, S. 185, Code of Alabama 1975, relating to fees and charges for probate judges and other issuing officer and the issuance and costs of annual fishing licenses for nonresidents, so as to increase said fees and costs.

The Standing Committee on Agriculture, Conservation, and Forestry reported the following substitute for the Bill, H. B. 433, to-wit:

### SUBSTITUTE FOR H. B. 433

#### A BILL TO BE ENTITLED AN ACT

To amend Sections 9-11-55 and 9-11-56 of the Code of Alabama 1975, which provides for nonresident annual and trip fishing licenses, so as to provide further for the fees for such licenses.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 9-11-55 and 9-11-56 of the Code of Alabama 1975, as last amended, are hereby amended to read as follows:

“§ 9-11-55.

“Nonresidents of the state may procure an annual fishing license which will authorize the holder thereof to fish in any of the public fresh, salt or brackish waters of this state, by filing with any person authorized to issue same an affidavit stating the applicant’s age, place of residence and post office address and after paying to the person issuing said license a fee of ~~\$10.00~~ in amounts as follows:

“(a) Mississippi nonresidents ..... \$20.00

“(b) Tennessee nonresidents ..... \$15.50

“(c) Georgia nonresidents ..... \$12.50

“(d) Florida nonresidents ..... \$25.00

“(e) All other nonresidents ..... \$20.00.

“Provided, however, that the commissioner of conservation and natural resources may enter into a reciprocal agreement with any state calling for a fee more than the fee prescribed herein.

“The issuing officer or any authority or special agent shall be allowed a fee of \$2.00 for each such license issued by him, which issuing fee shall be in addition to the cost of such license. In counties where the probate judge or issuing officer is on the fee system, the issuing fee shall be retained by the probate judge or issuing officer, and in counties where the probate judge or issuing officer is on a salary basis, the fee shall be paid by him into the county treasury to the credit of the appropriate fund.

~~“Seven dollars of the said \$10.00 are to be deposited in the state treasury to the credit of the game and fish fund and \$3.00 to the credit of the seafoods fund.”~~

“Three dollars from each annual nonresident license shall be deposited in the state treasury to the credit of the seafoods fund and the balance to the credit of the Game and Fish fund.”

“§ 9-11-56.

“Any nonresident of this state may procure a trip fishing license in the same manner provided for other licenses provided in this article, by paying therefor the sum of ~~\$4.00~~ \$8.50, which license will authorize the holder thereof to fish in any of the public fresh, salt or brackish waters of this state for a period of seven days from the day said license was issued.

“The issuing officer or authority or special agent shall be allowed a fee of ~~\$1.00~~ \$2.00 for each such license issued by him, which issuing fee shall be in addition to the cost of such license. In counties where the probate judge or issuing officer is on the fee system, the issuing fee shall be retained by the probate judge or issuing officer, and in counties where the probate judge or issuing officer is on a salary basis, the fee shall be paid by him into the county treasury to the credit of the appropriate fund.

~~“Three dollars~~ Seven dollars fifty cents (\$7.50) of the said ~~\$4.00~~ \$8.50 is to be deposited in the state treasury to the credit of the game and fish fund and \$1.00 to the credit of the seafoods fund.”

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Mitchem	
Amari	Cooley	Hand	Sanders	
Bailey	Denton	Holmes	Smith (B)	
Barron	Dial	Horn	Smith (J)	
Bedford	Dixon	Langford	Strong	
Bedsole	Ellis	Little	Teague	—23

Nays: —0

And said Bill, S. B. 433, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 24; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Little	
Bailey	Covington	Goodwin	Menton	
Barron	Denton	Hand	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Dixon	Horn	Strong	
Bennett	Ellis	Langford	Teague	
Cabaniss				—24

Nays: —0

### BUDGET ISOLATION RESOLUTION

On motion of Senator Mitchem, the Rules were suspended and the B. I. R., S. B. 548, was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Goodwin	Menton	
Amari	Dial	Hand	Mitchem	
Barron	Dixon	Hilliard	Parsons	
Bedsole	Drinkard	Holmes	Sanders	
Bennett	Ellis	Horn	Strong	
Cabaniss	Figures	Little	Teague	
Cooley	Foshee			—25

Nays: —0

**BILLS ON THIRD READING RESUMED**

Senator Strong requested and received permission to suspend the Rules in order to bring up the Bill:

S. 548. Relating to Marshall County; to amend Section IV of Act No. 1899, S. 953, 1971 Regular Session (Acts 1971, p. 3088), entitled, "An Act Relating to Marshall County; to require the use of voting machines at all polling places; to permit electors to register to vote on any voting machine at the designated voting place; to permit the consolidation of polling places; to provide for employment of a custodian of voting machines, how appointed, qualifications, salary, bond; to allow candidates in an election the right to designate a representative to be present at the opening of each voting machine for tabulation of results; candidates to have right to demand in writing of body in charge of ballot boxes to break seals for recanvass of votes in voting machines," so as to increase the salary of the custodian of voting machines.

And said Bill, S. B. 548, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Menton	
Amari	Dial	Hand	Mitchem	
Barron	Dixon	Hilliard	Parsons	
Bedsale	Drinkard	Holmes	Sanders	
Bennett	Ellis	Horn	Strong	
Cabaniss	Figures	Little	Teague	
Cooley	Foshee			—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

On motion of Senator Bedford, the Rules were suspended and the B. I. R., H. B. 768, was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Little	
Aldridge	Denton	Hand	Menton	
Barron	Dial	Hilliard	Parsons	
Bedford	Dixon	Holmes	Sanders	
Bedsale	Ellis	Horn	Strong	
Bennett	Figures	Langford	Teague	
Cabaniss	Foshee			—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

Senator Bedford requested and received permission to suspend the Rules in order to bring up the Bill:

H. 768. To amend the title and Section 1 of Act No. 82-317, H. 793 of the 1982 Regular Session (Acts 1982, p. 429) relating to allocation and

distribution of certain oil and gas privilege tax revenues accruing to Fayette County or any municipality therein, so as to provide further for such allocation and distribution.

And said Bill, H. B. 768, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Little	
Aldridge	Denton	Hand	Menton	
Barron	Dial	Hilliard	Parsons	
Bedford	Dixon	Holmes	Sanders	
Bedsole	Ellis	Horn	Strong	
Bennett	Figures	Langford	Teague	
Cabaniss	Foshee			—25

*Nays:* —0

### RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 316. RESOLVED BY THE SENATE That the following bill in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon adoption for the twenty-sixth legislative day of the 1986 Regular Session until disposed of:

<u>BILL NO.</u>	<u>DESCRIPTION</u>	<u>PAGE NO.</u>
HB 513	Unemployment Compensation	69

Senator deGraffenried moved that further consideration of the Resolution, S. R. 316, be postponed for one Legislative Day.

On motion of Senator Bishop, said motion to postpone was laid on the table.

Yeas 17; Nays 10.

*Yeas:*

Senators:	Drinkard	Holmes	Parsons	
Bishop	Figures	Horn	Smith (B)	
Cooley	Foshee	Langford	Strong	
Covington	Goodwin	Little	Teague	
Denton	Hilliard			—17

*Nays:*

Senators:	Bedsole	Dial	Menton	
Bailey	Cabaniss	Ellis	Smith (J)	
Barron	deGraffenried	Hand		—10

Senator deGraffenried offered the following substitute for the Resolution, S. R. 316, to-wit:

### SUBSTITUTE FOR S. R. 316

S. R. 316. RESOLVED BY THE SENATE That the following bill in the order named shall be the paramount and continuing order of business

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taking precedence over all other matters upon bills reaching the third reading for the twenty-sixth legislative day of the 1986 Regular Session until disposed of:

<u>BILL NO.</u>	<u>DESCRIPTION</u>	<u>PAGE NO.</u>
HB 513	Unemployment Compensation	69

On motion of Senator Bishop, said substitute was laid on the table.

Yeas 16; Nays 12.

*Yeas:*

Senators:	Denton	Goodwin	Langford
Bedford	Drinkard	Hilliard	Parsons
Bennett	Figures	Holmes	Smith (B)
Bishop	Foshee	Horn	Teague
Cooley			—16

*Nays:*

Senators:	Cabaniss	Ellis	Menton
Bailey	deGraffenried	Hand	Mitchem
Barron	Dial	Little	Smith (J)
Bedsole			—12

And on motion of Senator Bishop, the Resolution was then adopted by the Senate.

### REPORT FROM RULES

Senator Bishop, B. I. R., H. B. 513, Rules reported favorably.

Senator Bishop moved that B. I. R., H. B. 513, be adopted.

### REPORTS OF COMMITTEES

Senator Foshee, Chairperson of the Standing Committee on Buildings and Grounds, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Goodwin:

S. 661. To repeal Section 28-1-3, Code of Alabama 1975, which provides that any person 19 years of age or over who is on active duty, in active reserve status or retired from the armed forces of the United States, or the dependent of such person, or is otherwise eligible to purchase alcoholic beverages from military package or liquor stores, shall be entitled to have in his possession, in his motor vehicle, or a private residence or place of private residence or the curtilage thereof in any county in this state, for his own private use and not for resale, certain quantities of alcoholic beverages.

By Senator Cooley:

S. 670. To allow any circuit judge who held office any time between 1952 and 1958 and served Barbour, Bullock and Dale Counties and who has prior and/or present service as Governor to have such service credited as time in the judicial retirement system and combined with actual service

credit, conditioned upon such judge paying into the judicial retirement system the proper amount of contribution for actual service credit and a sum equal to 6% of his respective annual Governor's salary for each year of such credit. It allows a period in which to purchase such earned credit.

By Rep. Cosby:

H. 381. To amend sections 27-40-1, 27-40-8, 27-40-9, 27-40-10, and 27-40-12, Code of Alabama 1975, relating to insurance premium finance companies, so as to provide further for the regulation of such companies; to provide additional rates and charges allowable by such companies; and to provide for disbursement of the amount financed and to prohibit certain activities used to induce the financing of such insurance contracts.

By Reps. Drake, Clark (J), Coburn, and Holley:

H. 740. To amend certain sections of Chapter 2 of Title 14 of the Code of Alabama 1975 to provide for the payment of capitalized interest from the proceeds from the sale of bonds of the authority for a period not to exceed one year from the date of issuance of such bonds; and to provide that rent payments by the state or any of its agencies shall be due in accordance with the provisions of any lease by the authority of any of its facilities.

Senator Bailey, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Cooley:

S. 466. Relating to the licensing of persons engaged in the business of dealing in exotic or pet birds; to define terms; to require licensing; to provide for seizure and destruction of diseased or exposed birds; to provide for regulation of the transfer of birds to include the keeping of records; to provide for promulgation of regulations, and the denial or revocation of licenses; to provide for hearings before the Commissioner of Agriculture and Industries and the Board of Agriculture and Industries and quasi judicial authority of the Commissioner and the Board for all hearings and orders; to provide criminal penalties and injunctive relief.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Little (With Notice and Proof):

S. 659. Relating to Lee County; to require the installation and maintenance of an improved system of indexing documents affecting the title to property and other documents recorded in the Office of the Judge of Probate; to provide the collection and disposition of a special indexing fee; and to provide that said system shall constitute official permanent records in Lee County.

By Senator Bedford (With Notice and Proof):

S. 660. Relating to Fayette County, amending Act No. 82-743, H. 24, 1982 Special Session, providing for the disposal of property under the control



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of the county commission, so as to provide further for the disposal of said property.

By Senator Dial (With Notice and Proof):

S. 662. Relating to Chambers County; providing that it shall be unlawful for anyone to willfully throw or cast headlights or any rays of artificial light from any motor vehicle in any field, woodland or forest in an attempt to locate deer or any other wildlife with the exception of farmers who may do so while checking livestock on owned, leased or rented land; and providing for penalties.

By Senator Cooley (With Notice and Proof):

S. 663. To provide for the filing for record and the preservation of all orders and decrees made and entered by any Judge of the Circuit Court of the 23rd Judicial Circuit.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Ellis (With Notice and Proof) (With Amendment):

S. 665. To alter and rearrange the boundaries of the city of Pelham in Shelby County, so as to exclude and include certain territory from the corporate limits of the city.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Hand (With Notice and Proof):

S. 669. Relating to Baldwin County, to alter, rearrange and add to the limits of the Town of Orange Beach in Baldwin County, Alabama, and to describe the area so added to the Town of Orange Beach.

By Senator Ellis (With Notice and Proof):

S. 671. To alter and rearrange the boundaries of the city of Helena in Shelby County, so as to exclude and include certain territory from the corporate limits of the city.

By Reps. Starkey and Clark (D) (With Notice and Proof):

H. 772. Relating to Lauderdale County; levying a lodging tax, providing for the collection and distribution of said tax.

Senator Parsons, Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Horn (With Notice and Proof):

S. 485. Relating to Jefferson County; amending Section 5 of Act No. 176, S. 117 of the Extraordinary Session of 1936 (General and Local Acts

1936, p. 206) as last amended by Section 1 of Act No. 217, H. 261 of the First Special Session of 1964 (Acts 1964, p. 299) relating to notification procedures for ad valorem tax assessments in said county, so as to provide further for such procedures.

By Reps. Gray, Escott, Davis, Pratt, and Spratt (With Notice and Proof):

H. 212. Relating to Class 1 municipalities; providing for minimum monthly benefits to certain retired persons or beneficiaries of employees who participate in a retirement system pursuant to Act No. 929, S. 676, 1951 Regular Session (Acts 1951, p. 1579).

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Carter and Clark (D) (With Notice and Proof):

H. 794. Relating to Limestone County; to provide that any municipality whose corporate limits or boundaries include lands lying outside of Limestone County, must, in addition to all other requirements of law, obtain the consent of the Limestone County Commission before annexation of lands lying in Limestone County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 794, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Dutton (With Notice and Proof):

H. 796. Relating to Morgan Co., providing a salary supplement for the supernumerary clerk of the circuit court.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 796, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Hall and Richardson (With Notice and Proof):

H. 804. Relating to Jackson County; authorizing the county commission to set the fee schedule for mailing out motor vehicle license plates.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 804, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 794, 796, and 804—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Coleman and Rains (With Notice and Proof):

H. 806. Relating to Marshall County; providing further for the distribution of the share of in-lieu-of-taxes payments of the Tennessee Valley Authority; repeals Act No. 80-318, 1980 Regular Session, Act No. 82-190, 1982 Regular Session, Act No. 83-708, 1983 Regular Session, Act No. 84-460, 1984 Regular Session, and Act No. 84-637, 1984 Regular Session; and providing for retroactive effect.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 806, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Sasser (With Notice and Proof):

H. 811. Relating to Dale County; to further amend Section 1 of Act No. 2038, Regular Session 1971 (Acts 1971, p. 3270), concerning the sale of alcoholic beverages in certain places, so as to further provide for the sale of such beverages on the property of a municipal or county-owned airport.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 811, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Black (With Notice and Proof):

H. 813. Relating to Greene County; providing certain additional compensation for the members of the board of registrars to be paid from the county general fund.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 813, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Black (With Notice and Proof):

H. 814. Relating to Greene County, authorizing the county commission to expend funds for day care centers.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 814, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Beasley (With Notice and Proof):

H. 815. Relating to Henry County; providing further for the expense allowance of the members of the county board of education; repealing Act No. 81-261, H. 642 (Acts 1981, p. 345); and providing for its retroactive effect.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 815, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Laird (With Notice and Proof):

H. 817. Relating to Randolph County; providing further for the compensation of the members of the board of registrars.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 817, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Grayson, Hettinger, Hall, Butler, Carter, Brooks, and Albright (With Notice and Proof):

H. 805. To provide further for the filling of vacancies in county offices of Madison County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 805, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 806, 811, 813, 814, 815, 817, 805—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

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By Reps. Biddle, McNair, and Rogers (With Notice and Proof):

H. 526. Relating to Jefferson County; amending Section 5 of Act No. 176, S. 117 of the Extraordinary Session of 1936 (General and Local Acts 1936, p. 206) as last amended by Section 1 of Act No. 217, H. 261 of the First Special Session of 1964 (Acts 1964, p. 299) relating to notification procedures for ad valorem tax assessments in said county, so as to provide further for such procedures.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 526, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. White (G), Gray, Boles, Trammell, Newton, Beers, Bachus, Seibels, McDowell, and Rogers (With Notice and Proof):

H. 770. Relating to Jefferson County; providing for the election and compensation of the county commission; and specifically repealing Act No. 82-99, H. 79, 1982 Regular Session (Acts 1982, p. 128), relating to the salaries of the county commission.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 770, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Trammell, Payne, Boles, McNair, White (G), Pratt, Spratt, Newton, Gray, and Davis (With Notice and Proof):

H. 792. Relating to Jefferson County, providing further for the certification of names by the board of registrars.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 792, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Britnell (With Notice and Proof):

H. 830. Relating to Franklin County; to establish benefits and a policy for on-the-job injuries for educational personnel and to provide for retroactive effect.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 830, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 526, 770, and 792—to the Committee on Local Legislation No. 2

H. B. 830—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Rep. Warren (With Notice and Proof):

H. 820. Relating to the Conecuh County government, to change the composition of the Conecuh County Commission to provide that the county commission shall consist of five associate members elected from five single-member districts, and a chairman selected by the five members; and said chairman shall preside at all meetings and shall be entitled to vote on all matters coming before the county commission; to provide for the terms of said commissioners, and to require that the members of the commission shall reside within the boundaries of their respective districts; to set out the boundaries of each district; to provide for the filling of vacancies on the commission; to empower the commission to hire an administrator and provide for the duties and compensation of said person; to provide for the employment of a county engineer and to provide for the qualifications, duties, powers and compensation of said person; to prescribe the duties of the county commission regarding the road system; to provide for the compensation of members of the county commission; to provide for the method of electing said commissioners; to require the board of registrars to implement certain notice, registration, identification and session day requirements and to provide for the payment of certain costs.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 820, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 820—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

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By Rep. Newman (With Notice and Proof):

H. 821. Relating to Lamar County; to amend section 1 of Act 82-511, H. 796 of the 1982 Regular Session, (Acts 1982, p. 845), as amended, relating to the distribution of certain oil and gas privilege tax proceeds to the Lamar County Education Department, so as to authorize the expenditure of certain said funds for instructional supplies, purchase of certain school equipment and the repair of school buses.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 821, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Grouby (With Notice and Proof):

H. 822. Relating to Autauga County, exempting The Crime Prevention Inc. and Spinners Inc. from any and all county or municipal sales and use taxes.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 822, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Newman (With Notice and Proof):

H. 824. Relating to Fayette County; to create a license-issuing division within the Probate Judge's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; such fees shall be set by the County Commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of licenses by the Probate Judge's office; and to transfer certain duties now performed by the Tax Assessor and Tax Collector to said probate office; also to provide for a special recording and indexing fee on documents filed in the office of the Judge of Probate; and to prescribe the use thereof. County Commission to set fee.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 824, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Britnell (With Notice and Proof):

H. 831. Relating to Franklin County; providing that it shall be unlawful for one or more persons to willfully throw or cast headlights or any rays of artificial light from any motor vehicle in a certain manner and under certain

conditions; to provide for certain exceptions and to prescribe penalty for violation.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 831, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Britnell (With Notice and Proof):

H. 832. To alter and rearrange the boundaries of the Town of Vina in Franklin County, so as to include certain territory into the corporate limits of the town.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 832, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Britnell (With Notice and Proof):

H. 833. Relating to Franklin County; providing further for the distribution of all funds accruing to Franklin County or any municipality therein from the oil and gas privilege tax pursuant to Sections 40-20-1 through 40-20-13, Code of Alabama 1975.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 833, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

By Rep. Trammell (With Notice and Proof):

H. 490. Relating to Jefferson County; to amend Section 13(e) of Act 497 of the Regular Session of the Legislature of Alabama of 1965 as amended by Act No. 81-1060 of the Second Special Session of the Legislature of Alabama of 1981 to provide that the term "another pension system" as used herein shall mean a pension system established by or under a law of the State of Alabama for public officers or public employees other than the pension system established by this Act and which proscribes or otherwise does not allow for voluntary withdrawal by the members thereof; to authorize the Pension Board of the General Retirement System for Employees of Jefferson County to establish rules and regulations to authorize former members of the Pension System who withdraw from the Pension System under the authority provided by Section 13(e) of Act No. 497 of the Regular Session of the Legislature of Alabama as amended by Act No. 81-1060 of the Second Special Session of the Legislature of Alabama of 1981 a one-time opportunity to rejoin the Pension System as a new member and without credit for any previous paid time or previous unpaid time in the Pension System.



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I hereby certify that the Notice & Proof is attached to the Bill, H. B. 490, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

*JOHN W. PEMBERTON,*  
*Clerk.*

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 821, 822, 824, 831, 832, and 833—to the Committee on Local Legislation No. 1

H. B. 490—to the Committee on Local Legislation No. 2

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Newman, Lauderdale, and Britnell (With Notice and Proof):

H. 797. Relating to Marion County, to amend the title and section 2 of Act No. 85-933, H. 243, 1985 Second Special Session, which act provides for certain court costs which expire on September 30, 1986, unless continued, so as to extend the date to January 16, 1989.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 797, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

*JOHN W. PEMBERTON,*  
*Clerk.*

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 797—to the Committee on Local Legislation No. 1

**REPORT OF  
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 433. To amend Sections 9-11-55 and 9-11-56 of the Code of Alabama 1975, which provides for nonresident annual and trip fishing licenses, so as to provide further for the fees for such licenses.

CHARLES BISHOP,  
Chairperson.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Ford:

H. 593. To amend section 31-2-81 of the Code of Alabama 1975, so as to exempt national guard post exchanges from the payment of operating permit fees.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 593—to the Committee on Military Affairs

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Drake, Holley, Clark (J), and Coburn:

H. 739. To make an appropriation of \$98,000 from the State Industrial Development Authority Application Fees Fund to the State Industrial Development Authority for the fiscal year ending September 30, 1986.

Also:

By Reps. Rice, Drake, Turnham, Coleman, Grouby, Junkins, Biddle, Richardson, Butler, Melton, Crow, Browder, Burke, Flowers, Buskey (JE), Clark (W), Onderdonk, McMillan, Kvalheim, Gaston, Harper, Zoghby, Kennedy, Warren, Nicholson, Reed, Fuller, Venable, Newman, Bowling, Tanner, Moore, Gray, Rogers, Davis, Payne, White (G), Smith, Seibels, Bachus, Carter, Hall, Dutton, Lauderdale, Bugg, Starkey, Mikell, Johnson (RG), Brakefield, Laird, Hammett, Bryant, Blakeney, Hooper, McKee, Starr, Buskey (JL), Carothers, Mathis, Beasley, Faulk, Cosby, Penny, Rains, Preuitt, Adams, White (L), Brooks, Ford, Spratt, Newton, Perdue, Clark (D), Goodwin, Escott, Sasser, Box, Blake, Parker, Beers, Britnell, Mitchell, Lindsey, and Martin:

H. 819. To permit the Alabama Housing Finance Authority to relinquish portions of the State tax-exempt, non-essential function bond volume

cap to which it is entitled in calendar year 1986 under a certain proposed federal law.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 739 and 819—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Smith:

H. 451. To amend Section 27-29-3, of the Code of Alabama 1975, which relates to the acquisition of control of, or merger with, domestic insurers, so as to limit acquisition of control of an Alabama domiciled insurer without the Insurance Commissioner's approval by providing that after the acquisition of authorized but unissued voting securities of a domestic insurer, the acquiring person shall not own, control or have the right to acquire 10% or more of the total issued and outstanding voting securities of the domestic insurer however acquired.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 451—to the Committee on Banking and Insurance

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Smith and Turnham:

H. 68. To repeal §2-31-2, which exempts persons who buy grain for cash at the time of purchase; and persons licensed as public warehouses; to amend §2-31-4, which provides bonding requirements for grain dealers so as to remove the waiver of bond for those persons licensed under the United States Department of Agriculture Warehouse Act; and to waive bonding requirements for grain dealers who pay cash for grain at the time of purchase.

Also:

By Reps. Turnham and Smith:

H. 112. To amend Section 2-2-15, which provides qualifications for those persons in charge of accounting, plant industry, agricultural chemistry and poultry so as these divisions do not have to be designated as divisions; to allow a qualified veterinarian to be in charge of poultry in lieu of a college graduate in poultry husbandry.

Also:

By Rep. Faulk:

H. 702. To amend Section 2-19-131, providing for certification of the official cotton growers' organization to allow said organization to borrow funds for the purpose of eradicating the boll weevil; to amend Section 2-19-135, providing procedures to be used when assessments are not paid to also declare that assessments constitute a lien which the Commissioner of Agriculture and Industries is authorized to collect.

Also:

By Reps. Rice, Turnham, White (L), Blake, Flowers, Browder, Melton, Gray, Bachus, Seibels, Beers, Butler, Carter, Hettinger, Albright, Payne, Gaston, Marietta, Harper, Zoghby, McKee, Mikell, Blakeney, Bryant, McMillan, Starr, Grouby, Buskey (JL), Mathis, Beasley, Cosby, Faulk, and Preuitt:

H. 829. To further amend Section 28-3A-25, Code of Alabama 1975, relating to alcohol-related offenses in illegally selling, consuming, transporting and manufacturing alcoholic beverages, beer and wine, so as to broaden the applicability of such offenses to include among others, servants, agents or employees.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 68, 112, and 702—to the Committee on Agriculture, Conservation, and Forestry

H. B. 829—to the Committee on Buildings and Grounds

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Buskey (JE) (With Notice and Proof):

H. 809. Relating to Mobile County; creating and providing for a county racing commission for the regulation, licensure and supervision of dog racing and wagering thereon; prescribing the composition, appointment, powers and duties of the commission; providing for and regulating the pari-mutuel or

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certificate method of wagering within the enclosure of licensed race tracks; providing for the distribution of license fees, taxes, commissions, and other monies received under the provisions of this act; and providing for penalties.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 809, as required in the General Acts of Alabama, 1975 Act No. 919.

**JOHN W. PEMBERTON,**  
Clerk.

*JOHN W. PEMBERTON,*  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 809—to the Committee on Local Legislation No. 3

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,  
**ELVIN STANTON,**  
Executive Secretary.

DONE this 25th day of March, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mrs. Caroline Powell  
1520 7th Court, N.E.  
Tuscaloosa, AL 35407

as a member of the State Textbook Committee.

Respectfully submitted,  
**GEORGE C. WALLACE,**  
Governor.

DONE this 25th day of March, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 25th day of March, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mrs. Edith Daniel Kennedy  
P. O. Box 1888  
Andalusia, AL 36420

as a member of the State Textbook Committee.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 25th day of March, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 25th day of March, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mrs. Cathy Bright  
Route 3, Box 243  
Oneonta, AL 35121

as a member of the State Textbook Committee.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 25th day of March, 1986.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE GOVERNOR

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 25th day of March, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Ms. Barbara Lapidus  
5728 Jones Valley Drive  
Huntsville, AL 35802

as a member of the State Textbook Committee.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 25th day of March, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 25th day of March, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mrs. Dorothy Hodges  
3541 Brookwood Road  
Birmingham, AL 35223

as a member of the State Textbook Committee.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 25th day of March, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 25th day of March, 1986.



**REGULAR SESSION**  
**26th Day**

1187

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mrs. Mary Buckalew  
2147 Rock Mountain Drive  
Bessemer, AL 35203

as a member of the State Textbook Committee.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 25th day of March, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 25th day of March, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mrs. Beulah Tucker  
452 Rickarby Street  
Mobile, AL 36606

as a member of the State Textbook Committee.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 25th day of March, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 25th day of March, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Ed Caradine  
P. O. Box J  
University, AL 35486

as a member of the State Textbook Committee.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 25th day of March, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 25th day of March, 1986.

REGULAR SESSION  
26th Day

1189

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mrs. Birdie Petterson  
411 Torbert Boulevard  
Opelika, AL 36801

as a member of the State Textbook Committee.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 25th day of March, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Personnel Board.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 24th day of March, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Albert D. Weeden  
759 Stanton Street  
Mobile, AL 36617

as a member of the State Personnel Board.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 24th day of March, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Personnel Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama Credit Union Administration.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 24th day of March, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Lawrence C. Williams  
304 Dexter Avenue  
Suite 1C  
Montgomery, AL 36130

as Administrator of the Alabama Credit Union Administration.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 24th day of March, 1986.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Credit Union Administration, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To The Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama Surface Mining Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 4th day of April, 1986.

To the Senate of Alabama  
State House  
Montgomery, AL 36130

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Edward E. Loper  
3139 Arbor Lane  
Tuscaloosa, AL 35405

as a member of the Alabama Surface Mining Commission.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 4th day of April, 1986.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Surface Mining Commission, was read and referred to the Standing Committee on Rules.

### REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bills and Senate Joint Resolution delivered to the Governor, with the date and hour of delivery, to-wit:

S. J. R. 280

S. B. 575

S. B. 561

S. B. 114

Delivered to the Governor, April 8, 1986, at 2:25 P.M.

McDOWELL LEE,  
Secretary of Senate.

### SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

### ADJOURNMENT

At 4:20 P.M., on motion of Senator deGraffenried, and pending further consideration of B. I. R., H. B. 513, the Senate adjourned until Thursday, April 10, 1986, at 11 o'clock A.M.

Yeas 18; Nays 12.

*Yeas:*

Senators:	Bishop	Dixon	Holmes	
Amari	Cabaniss	Ellis	Menton	
Bailey	Covington	Figures	Mitchem	
Barron	deGraffenried	Foshee	Smith (B)	
Bedsole	Dial	Hand		—18

*Nays:*

Senators:	Drinkard	Horn	Parsons	
Bennett	Goodwin	Langford	Sanders	
Cooley	Hilliard	Little	Teague	
Denton				—12